

4-23-2002

Hearing on "Campus Violence Against Women"

Assembly Committee on Higher Education

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ASSEMBLY COMMITTEE ON HIGHER EDUCATION

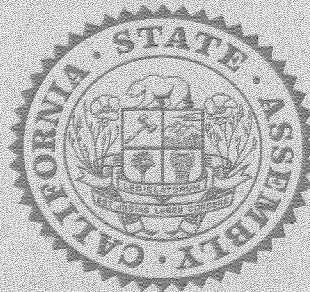
Hearing on "CAMPUS VIOLENCE AGAINST WOMEN"

Tuesday, April 23, 2002
State Capitol, Room - 3162
Sacramento, California

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JUL 25 2002

GOLDEN GATE UNIVERSITY



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Chair

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California Legislature

ASSEMBLY COMMITTEE ON HIGHER EDUCATION ELAINE ALQUIST CHAIR

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PAUL MITCHELL
Principal Consultant

ELIZABETH HANNA
Committee Secretary

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Sandy Ortman, Campus Program Director, California Coalition Against Sexual Assault

Representatives of each segment:

University of California
California State University
California Community Colleges
Independent Colleges and Universities

Follow up letters

California Community Colleges
Independent Colleges and Universities

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Agenda and Committee Analysis

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PAUL MITCHELL
Principal Consultant
ELIZABETH HANNA
Committee Secretary

AGENDA

Tuesday April 23, 2002

~~1:30 p.m.~~

Time Change to 2:30 p.m.

State Capitol, Room 3162

Informational Hearing

"Campus Violence Against Women"

Opening Comment: Elaine Alquist, Chair

The Issues Surrounding Campus Violence:

Kim Wible, Systemwide Police Coordinator, California State University

Carol Mosely, Coordinator, Rape Prevention Education Program, UC Santa Barbara

Sandy Ortman, Campus Program Director, California Coalition Against Sexual Assault

Representatives of each segment:

University of California
California State University
California Community Colleges
Independent Colleges and Universities

Bill Heard In Author Sign-In Order

- | | | |
|------------|---------|-------------------------|
| 1. AB 2533 | Jackson | Campus crime statistics |
| 2. AB 2583 | Chu | Sexual assault |

Campus Violence Hearing

Background and Analysis

April 23, 2002

Prepared by Paul Mitchell, Chief Consultant
Assembly Committee on Higher Education

Background

There are several areas of higher education policy where a clear state interest exists yet federal law is operative and takes precedence. For each of the past several years, members of the Committee have been presented with bills which attempt to express a state role within a policy area that is ultimately a federal responsibility.

In this past year alone, the Committee has acted on AB 1751 (Bogh) which requires campuses to comply with federal student visa requirements as provided for in the federal Immigration Reform and Immigrant Responsibility Act. The Committee has also acted on SB 43 (Murray) that would have provided for additional restrictions on personal information as provided for in the federal Family Educational Rights and Privacy Act.

Before the committee today are two measures, one dealing with the reporting of campus crime statistics, and the other dealing specifically with sexual assaults as a subset of campus violence. In these cases, federal law as provided for in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is operative.

The Clery Act

The federal Clery Act (20 U.S.C. 1092) requires colleges and universities to disclose information about crime on and around their campuses¹. The U.S. Department of Education (DOE) is charged with enforcing the Clery Act. Schools that fail to comply with the Clery Act may be penalized up to \$25,000 per violation or face a suspension of their eligibility for federal student financial aid programs. Pursuant to the Clery Act, colleges and universities must:

- Publish and distribute an annual campus security report by October 1 of each year. This report should provide on- and off-campus crime statistics for the prior three years, policy statements, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.
- Distribute to all current students and employees a copy of the annual security report, or a notice including a brief description of the report's contents that announces the report's availability on the Internet, the exact electronic address for the report, and a statement on how to obtain a paper copy if desired.

¹ "on and around the campus" for the purposes of this act means that property which is in a reasonably contiguous geographic area of the college or university that is owned by the institution or is owned or controlled by another person or institution but is frequently used by students or supports institutional purposes, such as a restaurant or retail business frequented by students.

- Inform prospective students and employees about the existence of the campus security report and how to access it on the Internet or request a paper copy.
- Provide timely notice to the campus community of crimes considered threats to the public safety.
- Maintain a public log of all crimes reported to the institution's campus police or security departments, if any.

According to the Clery Act, a crime is "reported" when a victim or witness brings it to the attention of the local police or a campus security authority. A crime report does not have to be made to, or be investigated by, the police or a security officer, nor must a finding of guilt or criminal responsibility be made.

The reporting requirements of the Clery Act are intended to be a starting point for campuses to better understand crime and violence at and around their institutions. The information collected can inform prevention efforts and lead to policy changes that will enable colleges and universities to improve their responses to campus community crime and violence generally. It also is important consumer information to families and students in the process of selecting a college or university.

Reportable Crimes

Under the Clery Act, colleges and universities are required to report crimes in the following categories:

- Criminal homicide
- Murder and manslaughter
- Forcible and non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Arson
- Motor vehicle theft
- Arrest and/or disciplinary referrals for liquor, drug and weapons violations

Concerns with Reporting

A five-month investigation by the Sacramento Bee provided significant evidence of campus crimes that were going unreported by officials. This story provided examples of personal and property crimes that were omitted from reports as a result of miscategorization (such as counting sexual abuse as physical abuse), because the crime was not within what administrators considered "on and around the campus," or because of who the student reported the crime to.

According to the Bee, "UC campuses in 1998 reported a total of 60 forcible sex offenses, including rapes. That same year, the Bee found at least 190 cases of rapes and forcible sex offenses reported to officials other than campus police at those nine campuses."

In addition to the specific cases cited by the Bee, studies have shown that there are thousands of cases of rape and sexual assault that go unreported to campus officials. In a report by the US Department of Justice, researcher Bonnie Fisher found that approximately 3% of students are the victim of rape or attempted rape in each academic (6.91 month) year. The adjusted one-year figure is nearly 5%.

For a medium-sized campus, of 10,000 students this research suggests that there are more than 350 rapes or attempted rapes. For the purposes of comparison, in the most recent reports available, CSU Chico, with 14,000 students reported three forcible sex offenses and

one non-forcible offense and UC Santa Cruz, with 13,000 students reported six forcible sex offenses and no non-forcible sex offenses.

Issues for Consideration

The ability of the Clery Act to create change is impaired by what some perceive to be chronic underreporting of crimes against students. While campuses argue that they are fully compliant with current federal law, it should be recognized that there is a natural disincentive for campuses to report high numbers of crimes, especially those of a sexual nature. However, campuses cannot report crimes if students have not reported the incidents to campus authorities. In a study to be presented to the Committee, UC Santa Barbara students cited several reasons for not reporting sexual crimes. These include the victim's belief that a crime had not been committed, feeling as though they were partly to blame, not wanting to face police questioning, and not wanting to get the person in trouble.

Social acceptance of campus violence can also be fostered in the fraternity/sorority systems where sexual crimes and hazing can be synonymous – providing students with the belief that certain sexual crimes are a part of college life. National studies of sexual violence and binge drinking have shown that the norms within the fraternity/sorority environment can perpetuate this behavior and discourage reporting for fear of social alienation.

AB 2533 (Jackson), currently before the Committee, requires campuses to submit information to the California Postsecondary Education Commission (CPEC) on their compliance with federal crime reporting requirements and provides for a additional CPEC report to the Legislature on campus violence.

AB 2583 (Chu), currently before the Committee, provides for the creation of a statewide task force on sexual assault for the purposes of gathering data on sexual assaults on California colleges and universities and submitting a report to the Legislature.

These two bills are intended to ensure that current federal reporting requirements are met and that the state look beyond the scope of federal reporting to understand the real impact that sexual violence is having on our campuses.

The Issues Surrounding Campus Violence

Kim Wible, Systemwide Police Coordinator,
California State University

Carol Mosely, Coordinator, Rape Prevention
Education Program, UC Santa Barbara

Sandy Ortman, Campus Program Director,
California Coalition Against Sexual Assault

San Francisco State University

San Francisco State University's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by San Francisco State University and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting the Department of Public Safety at (415) 338-7200 or by accessing the following website, <http://www.sfsu.edu/~dps>.



San Francisco
State University

Kimberly A. Wible
Chief of Police

Campus Security Report



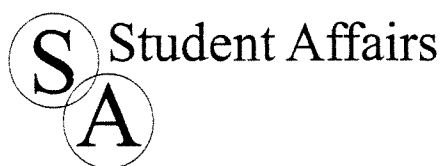
San Francisco State University

2001-2002



San Francisco State University
Department of Public Safety
1600 Holloway Avenue
San Francisco, CA 94132
(415) 338-7200

Emergency 911 or 82222



This publication is available in large print format upon request.
Last updated October 3, 2001

A Message from the Chief

Welcome to San Francisco State University!

I would like to welcome all new and returning faculty, staff, and students to San Francisco State University. As members of the SFSU campus community we all share the responsibility of maintaining a safe and healthy environment. Your safety while at San Francisco State University is the primary concern of the Department of Public Safety.

The San Francisco State University Department of Public Safety is operational 24 hours a day, seven days a week, year round. There are trained emergency dispatchers that answer the phones 24 hours a day. There is always a police officer on duty who will respond to calls for assistance. Additionally, we have Emergency Medical Technicians available to respond to medical emergencies.

This brochure is available to the public to provide statistical information required by law. If you have questions or concerns regarding any information on this brochure, please contact the Department of Public Safety at (415) 338-7200, or come by the Public Safety building located on North State Drive.

Sincerely,

Kimberly A. Wible
Chief of Police

Safety on Campus

Our Community

San Francisco State University strives to:

- Create and maintain an environment for learning that promotes respect for and appreciation of scholarship, freedom, human diversity, and the cultural mosaic of the City of San Francisco and the Bay Area;
- Promote excellence in instruction and intellectual accomplishment and;
- Provide broadly accessible higher education for residents of the region and state, as well as the nation and the world.

The Department of Public Safety participates in delivering the University mission and strives to create a safe environment conducive to academic excellence. We understand that while crime is still a nationwide problem, it is decreasing both nationwide and at San Francisco State University. Total crime has decreased at SFSU 37% over the last three years. Even though the Department of Public Safety works closely with neighboring Police Agencies and employs security measures to reduce and prevent crime, we believe security is everyone's responsibility, and we need your assistance.

SFSU is a community of more than 27,500 students located in the City and County of San Francisco. In addition to the main campus, SFSU maintains a downtown teaching center and remote research facilities located in Tiburon and Sattley, California. We maintain a collaborative and reporting relationship with the Police Agencies at these sites and we do not employ University Police Officers at these sites. We do stay in contact with the Police Agencies in these areas and will intervene if a security issue arises.

On the main campus, to minimize the number of criminal incidents, a competent Residence Life staff, a professionally-trained university police force, students, and members of the wider campus community participate in a number of shared responsibilities to insure that the students and their possessions are protected as much as possible.

Timely Warning Policy

On occasion, you will see timely warning notices describing recent crime trends or dangerous incidents. It is our policy to post these notices on the exterior doors of all campus buildings to provide our community with information about the incidents and crime prevention recommendations. Once all the relative information is received, these notices will typically be posted within 24 hours.

Policy For Reporting The Annual Disclosure of Crime Statistics

The Department of Public Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at www.sfsu.edu/~dps. You will also be able to connect to our site via the SFSU Home page at www.sfsu.edu. This report is prepared in cooperation with the Police agencies surrounding our main campus and our alternate sites, Housing and Residential Services, the Judicial Affairs Officer and the Division of Student Affairs. Each entity provides updated information on their educational efforts and programs to comply with the Act.

To comply with the act, we collect crime statistics from local police agencies, by providing the addresses of off campus housing or off campus property either owned, or controlled by the university, or public property immediately adjacent to campus. All local police agencies, where SFSU property is located or is nearby, provide automated statistics for the property and a radius around the property requested. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. The University does not recognize any off campus fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the University, and student organizations are not recognized to engage in activity off-campus. In September of every year, a postcard is mailed to all enrolled students, faculty and staff that provide the web site to access this report. Copies of the report may also be obtained at the Department of Public Safety at 1600 Holloway, S.F. CA. 94132 or by calling 415-338-2747. All prospective employees may obtain a copy from Human Resources in Administration 252 or by calling 415-338-1872, and the web site address will be attached to SFSU employment applications. A partial version of this report is located in the SFSU Gator Aid. Directions to locate the report on the website are located in the class schedule and university bulletin.

Remote SFSU Campuses / Locations

The Department of Public Safety does not provide security at these sites. All emergencies and crimes should be reported to the local police agencies listed below. The SFSU Department of Public Safety should be notified, after the local police agencies, so that we can ensure you have received the appropriate service. We have made arrangements for the administrators at these sites to notify us of any reported crimes.

The Downtown Center

425 Market Street • San Francisco • CA • 94105

San Francisco State University Department of Public Safety shares this jurisdiction with San Francisco Police Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the San Francisco Police Department at 9-1-1 or (415) 553-0123.

San Francisco Police Academy

350 Amber Drive • San Francisco • CA • 94131

San Francisco State University Department of Public Safety shares this jurisdiction with San Francisco Police Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the San Francisco Police Department at 9-1-1 or (415) 553-0123.

Stonestown Theater

501 Buckingham Way • San Francisco • CA • 94132

San Francisco State University Department of Public Safety shares this jurisdiction with San Francisco Police Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the San Francisco Police Department at 9-1-1 or (415) 553-0123.

Romberg Tiburon Center

3152 Paradise Drive • Tiburon • CA • 94920

San Francisco State University Department of Public Safety shares jurisdiction with Marin County Sheriff's Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the Marin County Sheriff's Department at 9-1-1 or (415) 479-2311.

Emeryville

954 60th Street Suite 10 • Emeryville • CA • 94608

San Francisco State University Department of Public Safety shares jurisdiction with the Oakland Police Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the Oakland Police Department at 9-1-1 or (510) 777-3333.

Sierra Nevada Field Campus

Star Route • Sattley • CA • 96124

San Francisco State University Department of Public Safety shares jurisdiction with Sierra County Sheriff's Department for incidents requiring criminal investigation. All emergencies and crimes in progress should be reported to the Sierra County Sheriff's Department at 9-1-1 or (530) 289-3700.

Community College of San Francisco

50 Phelan Ave. • San Francisco • CA • 94112

San Francisco State students attending City College of San Francisco can access their crime statistics on the following web site http://www.ccsf.org/Departments/Public_Safety/

Skyline College

3300 College Dr. • San Bruno • CA • 94066

San Francisco State students attending Skyline College in San Bruno can access their crime statistics on the following web site. <http://www.smccd.net/accounts/skyline/sts/research/security.html>

Policies & Procedures Concerning Security, Access and Maintenance of Campus Facilities

All buildings except the library will be secured by the Department of Public Safety by 11:00 P.M. on weekdays and by 5:30 P.M. on weekends per University Executive Order #94-17. We recognize that there will be some need for after hour and weekend access to buildings. After hours, a faculty or staff I.D. is required. Anyone working late or on weekends should notify the University Department of Public Safety. Students working in the building after hours are required to have in their possession a student pass (authorized by college deans), together with photo identification. Holiday access scheduling is treated as weekend access.

Access to university housing facilities is limited to residents, escorted guests and university staff. Entry is monitored on a 24-hour basis through a combination of card-key security systems, hard keys, door prop alarms, and on-duty Residence Life personnel. The campus facilities are maintained by Plant Operations and patrolled by the officers of the Department of Public Safety. The police officers and community service officers regularly test the emergency phones and submit work

orders for repair, recommend the trimming of shrubbery for safety reasons and conduct periodic lighting surveys. Officers report the need for replacement of lights and any other physical hazards they notice. Periodic crime prevention surveys are conducted when a crime trend occurs or upon the physical changes of office space and equipment when requested by an administrator. All campus buildings are equipped with card key access and door alarms that report to the Department of Public Safety. Many offices, labs, computer rooms and areas of campus have alarms.

Lighting improvements are constantly being evaluated. Improvements have included the placement of high intensity sodium vapor lights in buildings, in parking lot areas, in areas with heavy landscaping and trees, and along pathways frequently traveled by students. Outdoor courtesy telephones are located at the entrances of all university housing facilities and at many locations throughout the campus. All emergency telephones are connected directly to the Department of Public Safety.

Multi-Hazard Response Plan

As part of the University's Multi-Hazard response plan, there are "safety coordinators" on each floor of every building on campus. There is one "building coordinator" for each building and their names are listed in the front of the SFSU Telephone Directory. The names are updated annually with each new publication. Evacuation drills for each building are completed annually, both during the day and evening. The safety coordinators assist the Department of Public Safety in evacuating buildings in emergencies and identifying hazards in the buildings. Faculty, staff and students should report crimes and suspicious activities 24 hours a day to the Department of Public Safety. Safety coordinators can be contacted if for some reason you choose not to call our office.

Reporting Criminal Offenses to SFSU Other Than to Public Safety

Students are encouraged to report any problems with the campus environment to the Department of Public Safety, but we encourage reporting anywhere on campus you feel comfortable such as the Division of Student Affairs staff or any campus administrators. The Department of Public Safety maintains an anonymous crime tip line at 415-338-3030. The Department of Public Safety, Counseling and Psychological Services, and the Division of Student Affairs will accept confidential and anonymous reports of crimes for inclusion in the annual statistical report. It is our goal to provide assistance wherever the report is made to make sure we include the crime in our annual security report.

Department of Public Safety Your Community Policing Agency

Campus Law Enforcement Information...

Campus safety and security is coordinated by the University Department of Public Safety, located on North State Drive, near Lot 20. The department has a force of 27 sworn officers with full arrest powers and 53 non-sworn support employees. Our police officers are graduates of the California Peace Officers Standards Training Academy and undergo continued training to upgrade their skills. All sworn officers have been trained in first aid and CPR and are authorized to enforce all regulations on the university campus and an immediate one-mile radius. In some instances police powers extend statewide. University Police officers are armed with firearms. They conduct foot, vehicular and bicycle patrols on campus and in the Residence Community 24-hours a day.

We enjoy a good working relationship with all neighboring police agencies. University Police officers also work very closely with the San Francisco Police Department, agencies near our branch sites, and other law enforcement agencies to assist them with incidents involving campus community members that may occur off campus.

Please promptly report all criminal incidents and medical emergencies to us...

Potential criminal actions and any emergency on campus, including medical emergencies, should be reported directly to the Department of Public Safety by dialing 9-1-1 or campus extension x82222. Upon receipt of the call, the university police officers are dispatched immediately to the site of the complaint and have the authority to make arrests if necessary.

Crime Prevention Presentations Available

As part of the Student Affairs philosophy, Student Affairs staff, Housing and Residential Services along with the Department of Public Safety and the S.A.F.E. Place, hold sessions each semester on topics including personal safety awareness, rape and sexual assault prevention, and the prevention of burglary and vandalism. Workshops, group presentations and written materials are provided to on-campus housing residents each semester, focusing on community responsibilities and needs within the student living environment. Information on safety and security is provided to students and employees regularly through seminars, films, bulletins, and crime alerts, posters, brochures and university student newspapers.

Alcohol, Drugs and Weapons Policies

SFSU Complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120a...

University police officers enforce laws regulating the use of alcoholic beverages and underage drinking. SFSU is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. All SFSU students, faculty members, staff members, and administrators are subject to local state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

The unlawful manufacture, distribution, dispensing, possession or use of illegal drugs on the University campus or at any University-sponsored event off campus is prohibited. No one may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. A complete description of these regulations is contained in University Executive Order 89-12 "Alcohol and Drug Policy" and University Executive Order 90-15 "Policy on Substance Abuse in the Workplace". Both policies are available on the SFSU Home Page at www.sfsu.edu and at Human Resources, Public Safety, and the Office of the Vice President for Student Affairs and CEASE (Creating Empowerment through Alcohol and Substance Abuse Education). The CEASE Program, 415-338-1203, provides culturally sensitive information about alcohol and other drugs to our diverse campus community; involves a collective of students who assist in creating a campus environment which reinforces healthy lifestyles; provides support services for students who are experiencing problems with substances; and educates students about the impact of both alcohol and other drug abuse.

Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, HIV infection and other sexually transmitted diseases and psychological depression.

The use of alcoholic beverages must be in compliance with California State Law and is strictly limited to that persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals under 21 years of age is strictly prohibited. Alcoholic beverages may not be consumed in public areas and must be concealed and not in plain view when transported in the Residence Community. Residents in the Residence Community under the age of 21 are not permitted to host guests or residents of any age who are in possession of alcohol in their room/apartment.

The Department of Public Safety strictly enforces Federal and State laws, as well as the University's zero-tolerance policy, for the use and sale of illegal drugs. Violators are subject to university discipline, criminal prosecution and removal from University housing. Students engaging in the sale of illegal drugs will be expelled. Students found in violation of University alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21.

Employees in violation of the university alcohol and drug policies may be subject to corrective action or dismissal or be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, State and Federal law for the unlawful possession or distribution of illicit drugs and alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in State Prison. A police officer can take the license from any driver suspected of driving under the influence of alcohol and drugs who refuses to take a blood alcohol test.

Firearms and other dangerous weapons of any kind are not permitted on campus or in the Residence Community. Intentional use, possession, or sale of firearms or any other dangerous weapon is strictly prohibited on campus by State law.

Safety and Security in the Residential Community Access and Maintenance

San Francisco State University offers two traditional residence halls and one multi-story apartment complex, which provides on-campus housing for approximately 1500 students. Security safeguards within the residence halls include restricted access, guest registration and external door prop alarm systems. Crime prevention programs include orientation workshops, individual floor meetings, residential community-wide presentations, and educational programs.

Professional Residence Directors and student Resident Assistants, who are all members of the university Housing and Residential Services staff, live on campus and provide 24-hour staff coverage. Student room doors should be locked at all times even when occupied. Residents with automobiles may park them in Lot 25 after purchasing a semester or daily permit. Most importantly, residents are reminded to observe building security procedures and to notify Residence Life staff or the Department of Public Safety of any unfamiliar faces or unusual incidents within either the residence halls or apartments.

All Residence Life staff members in the residence halls undergo comprehensive training each semester for both prevention and response regarding safety and security issues. As part of their responsibility for campus security, both student and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault, and community security.

Mary Ward and Mary Park Halls

The Residence Halls are primarily reserved for incoming freshman students and returning Sophomores. Housing and Residential Life offers a wide variety of programs, including Welcome Home, FASTRACK and the AU 100 course, designed to facilitate the successful transition of new freshman students to the campus community. All rooms are double occupancy although there are a limited number of accessible single rooms available on a first-come, first serve basis. The rooms are furnished with a bed, closet space, desk, chair, and drawers, for each resident. Each room has a cable TV outlet providing basic cable programming, power outlets, phone jacks with one phone instrument, and 10base T ethernet jacks. Residents are allowed to bring or rent a small refrigerator and or microwave to use in their rooms. Each resident in the Halls is required to purchase a meal plan; 10, 15 or 19 meals a week.

Each floor has one Student Resident Assistant, so the ratio of students to Resident Assistants is usually around 70 to 1. Resident Assistants are available to provide help in anything from roommate conflicts to directions on how to get the nearest supermarket. RAs work very closely with their residents to make sure the residents are academically and socially successful.

Front entrance desks in Mary Park and Mary Ward Halls are staffed from 12 P.M. to 12 A.M. Sunday through Thursday and

from 2 P.M. until 2 A.M. on Friday and Saturday nights. Exterior doors are monitored with prop alarms and card access. Staff members provide evening rounds and enforce guest registration and escorts after 5:00 P.M.

The Village at Centennial Square

The Village at Centennial Square provides housing to 760 single, upper division and graduate students at San Francisco State University. In addition, the Village community includes 12,000 square feet of restaurants and shops, as well as the Student Services Building and the student One Stop Office. The Village name reflects a philosophy of easy student access to services with its design approach of a low-rise profile, linked courtyards, canopied walking areas and numerous community activity and study areas.

The Village offers single and double occupancy rooms in its three bedroom apartments, and double occupancy rooms in the two bedroom apartments. Spaces are filled on a first come first served basis. You must be 20 years of age and/or have achieved junior academic standing by the time you move in AND you must be enrolled at San Francisco State University, carrying a minimum of 12 semester units or graduate course equivalent

All apartments are fully furnished and include basic cable programming, power outlets, phone jacks and 10base T ethernet jacks. Each apartment has a full kitchen with stove, refrigerator, dishwasher, microwave and garbage disposal. Accessible units are available throughout the complex.

Entrances to the Village are protected by a card access system so that only residents or authorized personnel can open the doors.

The Village at Centennial Square is owned and managed by the San Francisco State University Foundation and its managing agent Ecumenical Association for Housing (EAH). There are no resident assistants living on the floors.

Student Discipline

Students may be expelled, suspended or placed on probation for committing violent or criminal acts on campus or at campus-related events. In compliance with federal and state laws and regulations, victims of violent crimes, including sexual assault, are to be informed whenever information regarding disciplinary action taken by the university is included in a student's file. Within three days victims are to be informed of the results of the disciplinary action and any appeal. The victim is required to keep the results of the disciplinary action and appeal confidential. For further information, contact the Student Judicial Affairs Officer in the Dean of Students Office by calling 338-2032.

Sexual Assault Policy

SFSU recognizes that sexual assault is a serious issue, and will not tolerate acts of sexual assault on campus. The University will investigate all allegations of sexual assault and take appropriate disciplinary, criminal, or legal action, with prior consent of the victim.

As soon as convenient, the victim of a sexual assault should report the incident, including date or acquaintance rape to the Department of Public Safety, the local police (if off-campus), university faculty or staff members, or The S.A.F.E. Place (Sexual Abuse Free Environment x82819). The victim should make every attempt to preserve any physical evidence of the assault. This may include a voluntary medical exam, not showering, or disposing of any damaged clothing, or other items that are present after/during the assault. Victims are encouraged to call any law enforcement agent by dialing 911 after a sexual assault for crime investigation, referral or transport for medical treatment, and referral to crisis counseling and legal advocacy.

The University Police, with the victim's consent, will immediately conduct a criminal investigation of a reported sexual assault. They will also contact a crisis-counselor immediately, if the victim wishes. Disciplinary actions may be imposed on recognized individual students, student organizations, and/or university faculty and staff found responsible for a sexual assault. University sanctions following campus disciplinary procedures depend on the outcome and may range from suspension to expulsion. Every effort will be made to criminally prosecute perpetrators of sexual assaults. The accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both shall be informed of the outcome of the proceeding.

After an alleged sexual assault incident occurs, the university will assist the victim in changing academic and living situations if so requested and if such changes are reasonably available.

If you become the victim of a sexual assault on or off campus:

- GET to a safe place
- CONTACT the Department of Public Safety (or your local police if off campus) by dialing 911
- DO NOT shower, bathe, douche, change or destroy clothing
- DO NOT straighten up the area
- SEEK medical attention
- SEEK emotional support from local Rape Crisis Center such as SFWAR (415.647.RAPE)

Sexual Assault Response Team (S.A.R.T.)

The sexual response team consists of experienced campus professionals in various disciplines that have also received sexual assault response training and coordinate their expertise to assist victims in an attempt to prevent violent crimes on campus.

Sexual Assault Investigation Team (S.A.I.T.)

The Department of Public Safety responds to all reports of sexual assault. Officers conduct investigations, interview victims and suspects, collect evidence, testify in court, and refer victims to the appropriate services. All S.A.I.T. members have special training in sexual assault investigations.

The S.A.F.E. Place

The S.A.F.E. Place (Sexual Abuse Free Environment) is a resource for information, crisis counseling and referral for sexual assault, and sexual harassment. The center provides information on preventing sexual harassment and abuse to classes, campus organizations, athletic teams, fraternities and sororities, residence halls and new students. The S.A.F.E. Place also provides support and referrals for those pursuing campus disciplinary options and criminal prosecution. The S.A.F.E. Place serves the campus community, is located in the Student Services Building, Room 205 and can be reached at 338-2819.

R.A.D

The Rape Aggression Defense System is a program of realistic, self-defense tactics and techniques. It is a comprehensive course for a woman that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. R.A.D. is not a martial arts program. Our courses are taught by certified R.A.D. instructors and provide you with a workbook/reference manual. This manual outlines the entire physical defense program for reference and continuous personal growth. The R.A.D. System of Physical Defense is currently being taught at many colleges and universities. The growing, widespread acceptance of this system is primarily due to the ease, simplicity and effectiveness of our tactics, solid research, and unique teaching methodology.

On and Off Campus Resources for Victims of Sexual Offences

On Campus

Department of Public Safety (24-hrs emergency).....	338-2222
Sexual Harassment Counseling	338-2916
EROS	338-2457
Student Health Services	338-1251
Counseling & Psychological Services.....	338-2004

Campus organizations which provide sexual assault prevention programs:

Department of Public Safety	338-7200
The S.A.F.E Place.....	338-2819
MOSA- Men of Student Affairs (male peers and mentors) ...	338-2916

Off Campus

San Francisco Rape Treatment Center	(415) 821-3222
San Francisco Women against Rape.....	(415) 647-RAPE
W.O.M.AN. Inc.....	(415) 864-4722
Highland Sexual Assault Center - Oakland	(510) 437-4688
Bay Area Women Against Rape - Oakland	(510) 845-RAPE

The Department of Public Safety will assist our community in notifying or obtaining services from the above and any authorities upon request.

Counseling & Psychological Services

The Department of Public Safety works closely with the Department of Counseling and Psychological Services. We work as a team in dealing with sensitive situations, and we refer persons to the Counseling Center on a regular basis. Both public safety officers and counselors have received training on threat assessments and the counselors consistently encourage their clients to report crimes to the Department of Public Safety to prevent future crimes. Counseling sessions are considered privileged and the holder of the privilege is the client. Crime information can be forwarded anonymously at the request of the client. The counselors do not disclose information to public safety without the consent of the client, unless there is an immediate threat to safety. Any reporting of statistics to comply with this act is done by reporting numbers and not names so the information provided by clients is confidential.

Counseling services are available to students, staff, and faculty at no cost. The staff consists of professionally trained and licensed counselors, psychologists, and clinical social workers. Counselors are also available for consultations regarding distressed or potentially violent students/employees and can be reached at 338-2208.

C.A.R.E.

The Department of Public Safety provides an escort program called C.A.R.E. (Campus Alliance for A Risk-Free Environment). C.A.R.E. team members provide personal escorts and additional building security during evening and nighttime hours. Team members are available to escort students, faculty, and staff to and from their classroom, laboratory or office, automobile, campus housing, or any other location within a reasonable distance to campus. The C.A.R.E. program is a student security program, which supplements the police force. Call x87200 for an escort.

Hate Crimes

"Hate violence" as defined in the statute "means any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group". Incidents of hate violence can be reported to the Department of Public Safety, Counseling and Psychological Services, Student Discipline Office, and the S.A.F.E. Place. The University does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the U.S. Constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs.

Available Crime Prevention Presentations and Prevention of Violence in the Workplace

San Francisco State University has established a team of individuals to respond and provide training to prevent or recognize early warning signs of potential violence. The team consists of members from Department of Public Safety, Counseling & Psychological Services, Human Resources and the Dean of Students Office. Individual consultations, counseling, presentations, and workshops are offered on a consistent basis. Requests can be made by calling extensions x82747, x86100, x81872 or x82032.

Established University faculty, staff and Department of Public Safety procedures will serve as the mechanisms for resolving situations of violence or threats of violence. Each allegation of violence will be taken seriously. Individuals are encouraged to report acts of violence, threats of violence, or any other behavior which by intent, act or outcome harms another person.

If you would like a copy of "Dealing with Potentially Violent Situations on Campus" please call the Department of Public Safety at 415/338-7200 or visit our website at: <http://www.sfsu.edu/~dps>

Members of the Department of Public Safety are available to provide the following presentations to staff, faculty and students:

Personal Safety, Sexual Assault Prevention, Prevention of Auto theft and Auto burglary, Dealing with distressed individuals, Emergency Preparedness, Rape Aggression Defense (RAD) Self Defense, Safety presentations to children and parents, Use of Pepper Spray, New First Time Freshman, Family Members and Transfer Student Orientation, and any other topics related to protecting personal and state Property. In addition, the Department of Public Safety actively promotes a "Double UP For Safety" program, Wait for the Green Traffic Safety, Buckle Up for Safety which is a campaign designed to encourage the use of seat belts for children, and Parking Lot Safety.

We do encourage participation in our crime prevention programs and ask for your assistance in keeping our community safe.

San Francisco State University Graduation Rates

Institutions of higher education are required to disclose information to prospective and current students about institution graduation rates for first-time freshmen. The California State University draws its first-time freshmen from the top one-third of California's high school graduates. Since 1960, the CSU has awarded more than 1.2 million baccalaureate degrees in hundreds of program areas. More than any other senior institution in California, the CSU has maintained access for students who need to juggle academic life with work and family obligations. The rate of graduation will vary depending upon the needs of the individual student to balance work, school and family priorities. Information specific to San Francisco State graduation rates appears below. Additional information regarding graduation rates of first-time freshmen is available in the Registrar's Office.

The San Francisco State University campus is comprised of eight colleges-Behavioral and Social Sciences; Business; Creative Arts; Education; Ethnic Studies; Health and Human Services; Humanities; and Science and Engineering. Operating on a semester based academic calendar, SFSU currently offers bachelor's degree programs in 117 academic disciplines. Over 4,149 students are annually awarded baccalaureate degrees in either the January, May or August graduation classes.

SFSU's six-year graduation rate for regularly admitted first-time freshmen (1994-2000) who attempted a minimum of 12 units their first semester is 32.13%, which compares to a CSU system wide graduation rate of 38.0%. After six years 17.4% of fall 1994 first time freshmen were still continuing their studies compared to 10.9% CSU system wide.

Campus Crime Statistics

1998 through 2000

San Francisco State University Main Campus

	On Campus			Residence Community			Public Property			Non-Campus Property		
	1998	1999	2000	1998	1999	2000	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses/Forcible												
Rape	1	0	1	3	0	1	0	0	1	0	0	0
Sodomy	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Battery	8	2	0	4	0	0	0	0	0	0	0	0
Sex Offenses/Non-Forcible												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	1	1	1	2	0	11	12	22	0	0	0
Aggravated Assault	2	1	1	2	0	0	3	7	2	0	0	0
Burglary	19	22	35	4	13	7	15	7	8	0	0	0
Vehicle Theft	4	6	8	0	0	0	44	26	28	0	0	0
Arson	0	0	2	0	1	1	N/A	N/A	N/A	0	0	0
Total	34	32	48	14	16	9	73	52	61	0	0	0

Public property offenses are those offenses reported to the Department of Public Safety as well as to the San Francisco Police Department in the city jurisdiction (within the boundaries of Eucalyptus, Lake Merced, Font and Junipero Serra). See pages 14-15 for Park Merced, Stonestown Apartments, and Stonestown Theater statistics. N/A mean statistic not available.

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	1	1	0	0	2	4	0	1	1	0	0	0
Drug Violations	6	3	9	3	1	6	5	6	5	0	0	0
Weapons Possession	1	2	2	0	0	1	0	0	0	0	0	0
Total	8	6	11	3	3	11	5	7	6	0	0	0

Disciplinary Referrals*

Alleged offenses reported to other responsible university officials, investigated by other university departments and referred for disciplinary action, not arrested.

	Main Campus			Residential Community			Public Property			Non-Campus Property		
	1998	1999	2000	1998	1999	2000	1998	1999	2000	1998	1999	2000
Liquor Laws	5	1	5	44	79	85	0	0	0	0	0	0
Drug Violations	0	3	6	15	25	130	0	0	0	0	0	0
Weapons Possession	2	0	0	0	0	0	0	0	0	0	0	0

*Some of these incidents are also reported under On-campus Crime Statistics by the Department of Public Safety.

Branch Locations and Public Property Surrounding Branch Sites *

Sierra Nevada Field Campus

Star Route - Sattley, CA 96124

	<u>On Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Total	0	0	0	0	0	0

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0
Total	0	0	0	0	0	0

Disciplinary Referrals **

Liquor Laws	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0

Public property offenses are those offenses reported to the Sierra County Sheriff's Office around the Sierra Nevada Field Campus (State Highway #49)

N/A means statistic not available.

Romberg Tiburon Center

3150 Paradise Dr. - Tiburon, CA 94920

	<u>On Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	1	0	0
Burglary	1	0	0	0	1	0
Vehicle Theft	0	0	0	1	0	0
Arson	0	0	0	0	0	2
Total	1	0	0	2	1	2

Liquor Laws	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0
Total	0	0	0	0	0	0

Public property offenses are those offenses reported to the Marin County Sheriff's Office around the Romberg Tiburon Center. One mile on the other side of 3150 Paradise Dr., Tiburon
N/A means statistic not available.

Downtown Center

425 Market Street - San Francisco, CA 94105

	<u>On Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	1	3
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	12	15	8
Aggravated Assault	0	0	0	9	5	6
Burglary	1	0	0	40	33	50
Vehicle Theft	0	0	0	10	14	3
Arson	0	0	0	N/A	N/A	N/A
Total	1	0	0	71	68	70

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	0	0	0	N/A	0	N/A
Drug Violations	0	0	0	N/A	6	1
Weapons Possession	0	0	0	N/A	0	N/A
Total	0	0	0	-	6	1

Disciplinary Referrals **

Liquor Laws	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0

Public property offenses are those offenses reported to the San Francisco Police Department in the city jurisdiction around the Downtown Center (Market St., Beale St., Mission St., 2nd St., Ecker St., Fremont St.) N/A means statistic not available.

*There are no student resident halls or non campus property at these locations.

**Alleged offenses reported to other responsible university officials, investigated by other university departments and referred for disciplinary action, not arrested.

Residential Locations Non-Contiguous to the Main Campus and Surrounding Public Property

The Presidio

Bldg. 34 Graham St. - San Francisco, CA 94129

	Resident Property			Public Property		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	1	1	1
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	1	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	1	0
Aggravated Assault	0	0	0	1	2	1
Burglary	0	0	0	0	0	1
Vehicle Theft	0	0	0	0	1	3
Arson	0	0	0	1	1	0
Total	0	0	0	4	6	6

Treasure Island

410 Palm Ave. Bldg 1, Suite 168 - San Francisco, CA 94130

	Resident Property			Public Property		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Total	0	0	0	0	0	0

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	0	0	0	4	5	0	0	0	0	-	-	1
Drug Violations	0	0	0	8	11	4	0	0	0	-	-	12
Weapons Possession	0	0	0	2	1	0	0	0	0	-	-	3
Total	0	0	0	14	17	4	0	0	0	-	-	16

Disciplinary Referrals **

Liquor Laws	0	0	0	0	0	0	0	0	0	-	-	0
Drug Violations	0	0	0	0	0	1	0	0	0	-	-	0
Weapons Possession	0	0	0	0	0	0	0	0	0	-	-	0

There was no student rental housing on MacArthur, Quarry and Wallen prior to August 2000. Public property offenses are those offenses reported to the United States Park Police in Federal jurisdiction on and around MacArthur, Portola, Quarry, Wherry Housing, Lincoln, Battery Caulfield Rd., Washington, Baker Beach, Battery Chamberlin and Battery Crosby. *N/A means statistic not available.*

There was no student rental housing at Treasure Island prior to August 2000. Public property offenses are those offenses reported to the San Francisco Police Department in city jurisdiction covering all of Treasure Island. *N/A means statistic not available.*

Stonestown Apartments

295 Buckingham Way - San Francisco, CA 94132

	Resident Property			Public Property		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	4	4	3
Aggravated Assault	0	0	0	2	2	0
Burglary	0	0	0	15	14	2
Vehicle Theft	0	0	0	9	18	2
Arson	0	0	0	0	0	N/A
Total	0	0	0	30	38	7

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	0	0	0	4	5	0	0	0	0	0	0	1
Drug Violations	0	0	0	8	11	4	0	0	0	2	2	5
Weapons Possession	0	0	0	2	1	0	0	0	0	0	0	0
Total	0	0	0	14	17	4	0	0	0	2	2	6

Disciplinary Referrals **

Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0

There was no student rental housing in the Stonestown Apartments prior to 2000. Public property offenses are those offenses reported to the San Francisco Police Department in the city jurisdiction around the Stonestown Apartments (Buckingham Way, Winston Drive, 20th Avenue, 19th Avenue, and Eucalyptus Drive). *N/A means statistic not available.*

There was no student rental housing in the Park Merced Apartment Complex prior to 2000. Public property offenses are those offenses reported to the San Francisco Police Department in the city jurisdiction within the Park Merced Apartment Complex. *N/A means statistic not available.*

The residential locations above are not owned by the university. Individual apartments were leased by the SFSU Foundation, subleased to the university and subleased to students.

Non-Campus Property*

SF Police Academy

350 Amber Drive - San Francisco, CA 94131

	<u>Non-Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	-	0	0	-	0	0
Manslaughter	-	0	0	-	0	0
Sex Offenses/Forcible						
Rape	-	0	0	-	0	0
Sodomy	-	0	0	-	0	0
Sexual Assault w/object	-	0	0	-	0	0
Sexual Battery	-	0	0	-	0	0
Sex Offenses/Non-Forcible						
Incest	-	0	0	-	0	0
Statutory Rape	-	0	0	-	0	0
Robbery	-	0	0	-	0	0
Aggravated Assault	-	0	0	-	0	0
Burglary	-	0	0	-	1	2
Vehicle Theft	-	0	0	-	12	2
Arson	-	N/A	N/A	-	N/A	N/A
Total	-	0	0	-	13	4

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	-	N/A	N/A	-	N/A	N/A
Drug Violations	-	N/A	N/A	-	N/A	N/A
Weapons Possession	-	N/A	N/A	-	N/A	N/A
Total	-	-	-	-	-	-

Disciplinary Referrals **

Liquor Laws	-	0	0	-	0	0
Drug Violations	-	0	0	-	0	0
Weapons Possession	-	0	0	-	0	0

Public property offenses are those offenses reported to the San Francisco Police Department in the city jurisdiction around the SF Police Academy (Turquoise Way, Cameo Way, Duncan St., Red Rock Way, Amethyst Way, Diamond Heights). There were no classes held at the San Francisco Police Academy prior to 1999.

N/A means statistic not available.

Stonestown Theater

501 Buckingham Way - San Francisco, CA 94132

	<u>Non-Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offenses/Forcible						
Rape	0	0	0	0	1	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	0	0	0
Sexual Battery	0	0	0	0	0	0
Sex Offenses/Non-Forcible						
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	5	9	4
Aggravated Assault	0	0	0	5	3	2
Burglary	0	0	0	25	31	24
Vehicle Theft	0	0	0	17	12	10
Arson	N/A	N/A	N/A	N/A	N/A	N/A
Total	0	0	0	52	56	40

Liquor Laws	N/A	N/A	N/A	0	0	0
Drug Violations	N/A	N/A	N/A	0	1	0
Weapons Possession	N/A	N/A	N/A	0	0	0
Total	-	-	-	0	1	0

Public property offenses are those offenses reported to the San Francisco Police Department in the city jurisdiction around the Stonestown Theater (Buckingham Way, Winston Drive and Eucalyptus Drive).

N/A means statistic not available.

Emeryville Center

954 60th Street Suite 10 - Emeryville, CA 94608

	<u>Non-Campus</u>			<u>Public Property</u>		
	1998	1999	2000	1998	1999	2000
Murder	-	-	0	-	-	2
Manslaughter	-	-	0	-	-	0
Sex Offenses/Forcible						
Rape	-	-	0	-	-	3
Sodomy	-	-	0	-	-	0
Sexual Assault w/object	-	-	0	-	-	0
Sexual Battery	-	-	0	-	-	7
Sex Offenses/Non-Forcible						
Incest	-	-	0	-	-	0
Statutory Rape	-	-	0	-	-	0
Robbery	-	-	0	-	-	41
Aggravated Assault	-	-	0	-	-	23
Burglary	-	-	0	-	-	44
Vehicle Theft	-	-	0	-	-	68
Arson	-	-	0	-	-	0
Total	-	-	0	-	-	188

Special Category Arrests (Liquor, Drug and Weapons)

Liquor Laws	-	-	N/A	-	-	N/A
Drug Violations	-	-	N/A	-	-	N/A
Weapons Possession	-	-	N/A	-	-	N/A
Total	-	-	N/A	-	-	N/A

Disciplinary Referrals **

Liquor Laws	-	-	0	-	-	0
Drug Violations	-	-	0	-	-	0
Weapons Possession	-	-	0	-	-	0

The Emeryville property was not occupied until October of 2000. Public property offenses are those reported to the Oakland Police Department in the jurisdiction around the Emeryville Center (Berkeley City border from Vallejo Street W/B to Adeline Street, Emeryville City border E/B from Vallejo Street through Adeline Street, Adeline Street N/B from the Emeryville City border to Market Street, Market Street N/B to California Street, California N/B to the Berkeley City border, Emeryville City border N/B from 53rd Street and Vallejo Street to 67th Street). N/A means statistic not available.

Stonestown Theater

Large SFSU classes are held off campus in Stonestown Theater.

The San Francisco Police Academy

The SFSU Department of Criminal Justice holds classes off campus at the San Francisco Police Academy.

The Emeryville Center

The SFSU School of Social Work holds non-credit classes at the Emeryville Center.

*There are no residential facilities at the San Francisco Police Academy, Stonestown Theater or the Emeryville Center

**Alleged offenses reported to other responsible university officials, investigated by other university departments and referred for disciplinary action, not arrested.

Hate Crimes

1998

Hate Crimes - SFSU Main Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder & Nonnegligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nonforcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other crimes involving bodily injury		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Hate Crimes		0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

1999

Hate Crimes - SFSU Main Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder & Nonnegligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nonforcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault		0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Burglary		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other crimes involving bodily injury		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Hate Crimes		1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	1	1	0	0	0	0	0	0	0

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2000

Hate Crimes - SFSU Main Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder & Nonnegligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses:		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nonforcible Sex Offenses		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other crimes involving bodily injury		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Hate Crimes		0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0

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Hate Crimes

1998

Hate Crimes - Stonestown Theatre		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Murder & Nonnegligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Negligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Forcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Nonforcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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1999

Hate Crimes - Stonestown Theatre		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Murder & Nonnegligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Negligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Forcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Nonforcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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2000

Hate Crimes - Stonestown Theatre		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Murder & Nonnegligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Negligent Manslaughter</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Forcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
<i>Nonforcible Sex Offenses</i>		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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Hate Crimes

1998

Hate Crimes - Downtown Center Offense Type		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

1999

Hate Crimes - Downtown Center Offense Type		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

2000

Hate Crimes - Downtown Center Offense Type		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

Hate Crimes

1998

Hate Crimes - Tiburon Center		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

1999

Hate Crimes - Tiburon Center		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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2000

Hate Crimes - Tiburon Center		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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Hate Crimes

1998

Hate Crimes - Sierra Nevada Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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1999

Hate Crimes - Sierra Nevada Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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2000

Hate Crimes - Sierra Nevada Campus		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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Hate Crimes

1998

Hate Crimes - SF Police Academy		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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1999

Hate Crimes - SF Police Academy		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

2000

Hate Crimes - SF Police Academy		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Murder & Nonnegligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Negligent Manslaughter		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Sex Offenses:		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Forcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Nonforcible Sex Offenses		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Robbery		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Aggravated Assault		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Burglary		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Motor Vehicle Theft		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Arson		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other crimes involving bodily injury		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0
Other Hate Crimes		0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0	0	-	-	0

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Hate Crimes

2000																									
Hate Crimes - Emeryville		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	
Criminal Homicide:	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Murder & Nonnegligent Manslaughter	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Negligent Manslaughter	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Sex Offenses:	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Forcible Sex Offenses	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Nonforcible Sex Offenses	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Robbery	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Aggravated Assault	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Burglary	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Motor Vehicle Theft	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Arson	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Other crimes involving bodily injury	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
Other Hate Crimes	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	0	-	0	0	
		OC= On Campus				RF = Residence Facility				NC= Non-Campus				PP = Public Property											

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

This property was not occupied by San Francisco State until October of 2000

2000																									
Hate Crimes - Treasure Island		Race				Gender				Religion				Sexual Orientaion				Ethnicity				Disabilities			
Offense Type	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	
Criminal Homicide:	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Murder & Nonnegligent Manslaughter-	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Negligent Manslaughter	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Sex Offenses:	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Forcible Sex Offenses	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Nonforcible Sex Offenses	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Robbery	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Aggravated Assault	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Burglary	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Motor Vehicle Theft	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Arson	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Other crimes involving bodily injury	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Other Hate Crimes	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0	
		OC= On Campus				RF = Residence Facility				NC= Non-Campus				PP = Public Property											

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

There were no residents living on Treasure Island until August of 2000

2000																									
Hate Crimes - Presidio		Race				Gender				Religion				Sexual Orientaion				Ethnicity				Disabilities			
Offense Type	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	
Criminal Homicide:	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Murder & Nonnegligent Manslaughter-	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Negligent Manslaughter	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Sex Offenses:	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Forcible Sex Offenses	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Nonforcible Sex Offenses	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Robbery	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Aggravated Assault	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Burglary	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Motor Vehicle Theft	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Arson	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Other crimes involving bodily injury	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
Other Hate Crimes	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	
		OC= On Campus				RF= Residence Facility				NC= Non-Campus				PP = Public Property											

OC= On Campus RF = Residence Facility NC= Non-Campus PP = Public Property

There were no residents living in the Presidio until August of 2000

Hate Crimes

1998

Hate Crimes - Park Merced		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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1999

Hate Crimes - Park Merced		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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2000

Hate Crimes - Park Merced		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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Hate Crimes

1998

Hate Crimes - Stonestown		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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1999

Hate Crimes - Stonestown		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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2000

Hate Crimes - Stonestown		Race				Gender				Religion				Sexual Orientation				Ethnicity				Disabilities			
Offense Type		OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP	OC	RF	NC	PP
Criminal Homicide:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Murder & Nonnegligent Manslaughter-		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Negligent Manslaughter		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Sex Offenses:		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Forcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Nonforcible Sex Offenses		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Robbery		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Aggravated Assault		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Burglary		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Motor Vehicle Theft		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Arson		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other crimes involving bodily injury		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	0
Other Hate Crimes		-	-	-	0	-	-	-	0	-	-	-	0	-	-	-	1	-	-	-	0	-	-	-	0

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Ann Auleb is a faculty member of San Francisco State at both the Biology and the Counseling Departments. She has been a professor at San Francisco State since 1987. She is a registered nurse with a M.A. in Human Sexuality. Ann is the Chair of the A.I.D.S. Coordinating Committee and is an

advisor to the **S.A.F.E.** Place. Ann is also a member of the Society for the Scientific Study of Sex, the American Association of Sex Educators, Counselors and Therapists, and is a member of the SFSU Rape Education and Prevention Committee. Ann may be reached at **338-2198**.

**SAN FRANCISCO STATE UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY
SEXUAL ASSAULT INVESTIGATION
TEAM (S.A.I.T)**



Detective Sergeant Jerry Trobaugh, Detective Debbie Walter, Detective Sergeant Pat Wasley, evidence technician, and Lieutenant Amalia "Molly" Borja, S.A.I.T. Leader. The S.A.I.T. responds to all reports of sexual assault. Officers conduct investigations, interview victims and suspects, gather information, collect evidence, testify in court, and refer victims to appropriate services. All S.A.I.T. members have special training in sexual assault investigation.

**Remember - You are important!
We are here to assist!**



***Sexual
Assault
Response
Team***

***-Prevention
-Response
-Counseling
-Case Management***

**Department of Public Safety
338-7200**

**Student Health Center
338-1251**

**S.A.F.E. (Sexual Abuse Free Environment)
338-2819**

**Housing and Residential Services
338-1067**

**Counseling and Psychological Services
338-2208**

**Dean of Students Office
338-2032**

**S Student Affairs
A**
October 27, 2000

Sexual Assault Response Team

San Francisco State University is an urban university of 100 acres and a population of approximately 28,500 students. Located in the city and county of San Francisco, San Francisco State shares many of the city's same interests and problems, including the concern of crime.

San Francisco State University offers the services of the Sexual Assault Response Team (**S.A.R.T.**). The team consists of experienced professionals in their fields who have also received sexual assault response training. They coordinate their expertise to assist victims in an attempt to prevent violent crimes on campus.

Lieutenant Amalia Borja of the Department of Public Safety works closely with Nina Jo Smith, Coordinator of the Sexual Abuse Free Environment (**S.A.F.E.**) to coordinate the campus wide program. The **S.A.F.E.** Place is a resource for information, crisis counseling, referral for sexual assault and sexual harassment. The center provides sexual harassment and abuse prevention presentations for classes, campus organizations, athletic teams, fraternities and sororities, residence halls and new students. The **S.A.F.E.** Place also provides self defense training as well as advocacy for those pursuing campus disciplinary options. The **S.A.F.E.** Place is available to all members of the campus community and is located in the Franciscan Building between the library and Creative Arts.



Lieutenant Amalia "Molly" Borja of the Department of Public Safety is the S.A.R.T. Team leader and has been in law enforcement since 1979. She acquired her B.A. from Humboldt State University. She also leads the Department of Public Safety Sexual Assault Investigation Team. Lt. Borja is a

member of the California Sexual Assault Investigators Association, the Safe Schools Coalition, and the SFSU Rape Prevention and Education Committee. Molly works extensively in educating students on how to prevent sexual assaults. Molly is available to present crime prevention programs to University groups and to discuss campus environment issues. Molly may be reached at **338-6035**.



Nina Jo Smith coordinates the **S.A.F.E.** Place (Sexual Abuse Free Environment), SFSU's rape prevention education resource center. She has taught self defense since 1979, holds a black belt in Tae Kwon Do and a master's degree in Physical Education. Nina is a co-chair of the SFSU Rape

Prevention Education Committee. The **S.A.F.E.** Place offers peer-facilitated programs, crisis intervention and referrals for women and men. Nina may be reached at the **S.A.F.E.** Place at **338-2819**.



Derethia DuVal is a clinical counselor in the SFSU Counseling Center. Derethia has a M.S. in Counseling and is a Ph.D. Candidate in Clinical Psychology. Derethia has been a sexual assault therapist for the Alameda County Sexual Assault Consortium and former coordinator

for the Sexual Assault Program for the West Oakland Mental Health Center. Derethia has testified as an Expert Witness in the Alameda County Superior Court. She is a licensed therapist in private practice and she also teaches community education in the areas of sexual assault prevention and cultural diversity. Derethia is a consultant to several battered women's shelters. Derethia may be reached at **338-2208**.



Susan Feldkamp is an R.N. with the SFSU Student Health Center and has been in the nursing field since 1980. Susan has been a crisis "hotline" counselor and has worked in sexually transmitted disease counseling, prevention and treatment since 1990. She has also counseled victims of

rape that became pregnant. Susan is the SFSU co-coordinator for the H.I.V. testing and educational program. Susan may be reached at **338-1251**.

Presentation for the Higher Education Committee, April 23, 2002
Carol Mosely, Coordinator, Rape Prevention Education Program, UC Santa Barbara

Data from clients of the Rape Prevention Education Program indicate:
majority of sexual assaults are committed by an acquaintance
few are reported to law enforcement
those that are reported rarely proceed as a legal case- laws don't cover our cases
negative academic effects

Our survey of undergraduate unwanted sexual experiences indicate:
approximately one-third of the females have had an unwanted experience
incidents are primarily committed by another UCSB student
most perpetrators are male
incidents occurred in the places students live and socialize
most don't report to law enforcement, the Rape Prevention Education Program or anyone else at the University

Main reasons they don't report:
they don't think a crime has been committed
they want to forget it
they feel partly to blame

The verbatim comments on not reporting are sad testament to the rationalization, minimization and denial that accompany crimes in which the victim has historically been blamed.

The overall picture for our college students is a world in which violation and violence has become normalized.

This cultural picture is particularly bad in the Greek system.
Fraternity men make up six percent of our student body
17 percent of assaults occurred in fraternity houses
Forty percent of assaults involving multiple assailants occurred in fraternity houses
Highly valued social and cultural norms which result in violence against women

SUGGESTIONS

- If we want to accurately know what's happening to our students, we need to conduct anonymous surveys.
- If we want to increase reporting, then we need to provide students with knowledge and support but also look at ways to respond to those reports, through changes in our laws and/or changes, funding, support for college judicial systems.
- If we want to prevent these incidents, we need to impact the culture by addressing the norms that currently exist. This should be done on many fronts, much as the attempt to change the drinking culture is being done through the environment, enforcement as well as education.
- Some specific suggestions:
 - Funding and support for male education
 - Eliminating fraternities
 - Funding for mandatory education for first-year students in a serious, ongoing format
 - Funding and support for educational programming tailored to unique communities within the larger campus community, including underrepresented students and athletes.
- It's important to remember that increased outreach efforts will result in increased reporting. Most campus response systems are currently at a maximum. We will need funding to hire staff trained in sexual violence crisis counseling and advocacy.

Rape Prevention Education Programs were established on every UC campus in 1979

UCSB



UNIVERSITY OF CALIFORNIA
SANTA BARBARA

Excerpts of Results
2001 Unwanted Sexual Experiences
Survey
(Administered Winter 2001)

UCSB WOMEN'S CENTER
UCSB Rape Prevention Education Program

INSTITUTIONAL RESEARCH AND PLANNING
Office of Budget and Planning

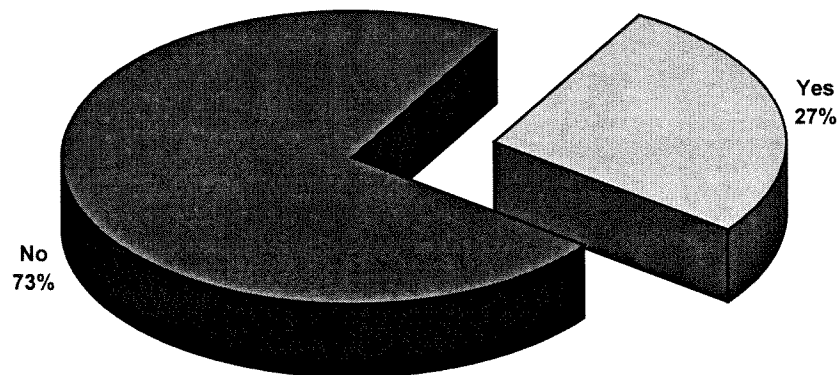
April 2002

What Happens to Our Students ?

Incidence of Unwanted Sexual Encounters

Twenty-seven percent (27%) of students responding to the survey have experienced physical sexual activity against their will while enrolled at UCSB.

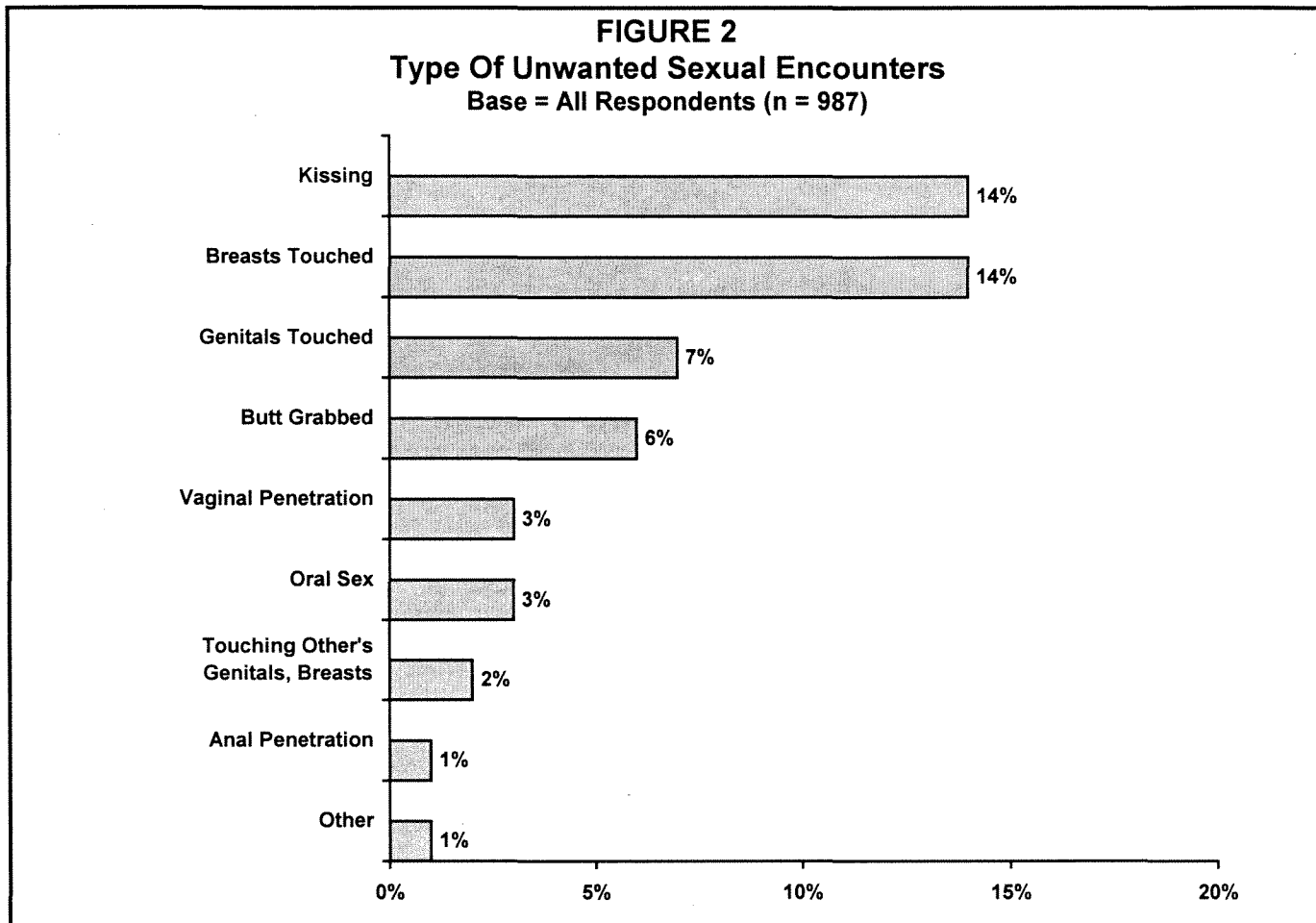
FIGURE 1
Experienced Unwanted Physical Sexual Activity
Base = All Respondents (n = 987)



- Females are more likely than males to have experienced unwanted physical sexual activity – 32% of female respondents have had such an experience at UCSB, compared to only 12% of males.

Type of Unwanted Sexual Encounters

The most common types of physical sexual activity experienced by students without their consent are kissing and having one's breasts touched – both encountered by 14% of all respondents. An additional 7% have had their genitals touched against their will, and 6% have had their butt grabbed, rubbed, or slapped.



- Females are more likely than males to have experienced unwanted kissing (17% vs. 8%), having their breasts touched (19% vs. 1%), having their genitals touched (8% vs. 4%), vaginal penetration (4% vs. 1%), and having their butt grabbed (8% vs. 2%).

Incidence of Rape among Female Students

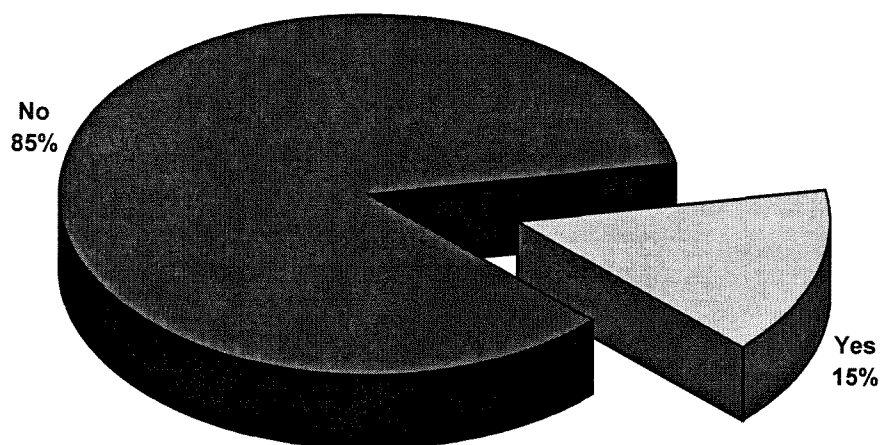
Looking only at the incidence of unwanted sexual encounters among female respondents reveals the following:

- 4% of female students have experienced unwanted vaginal penetration.
- 3% of female students have either had or been forced to perform unwanted oral sex.
- 1% of female students have experienced unwanted anal penetration.
- 5% of female students have experienced one or more unwanted acts of vaginal, oral, or anal penetration.

Attempted Assault

Fifteen percent (15%) of students surveyed said that someone attempted to commit an unwanted sexual act against them.

FIGURE 3
Attempted Unwanted Sexual Encounter
Base = All Respondents (n = 987)

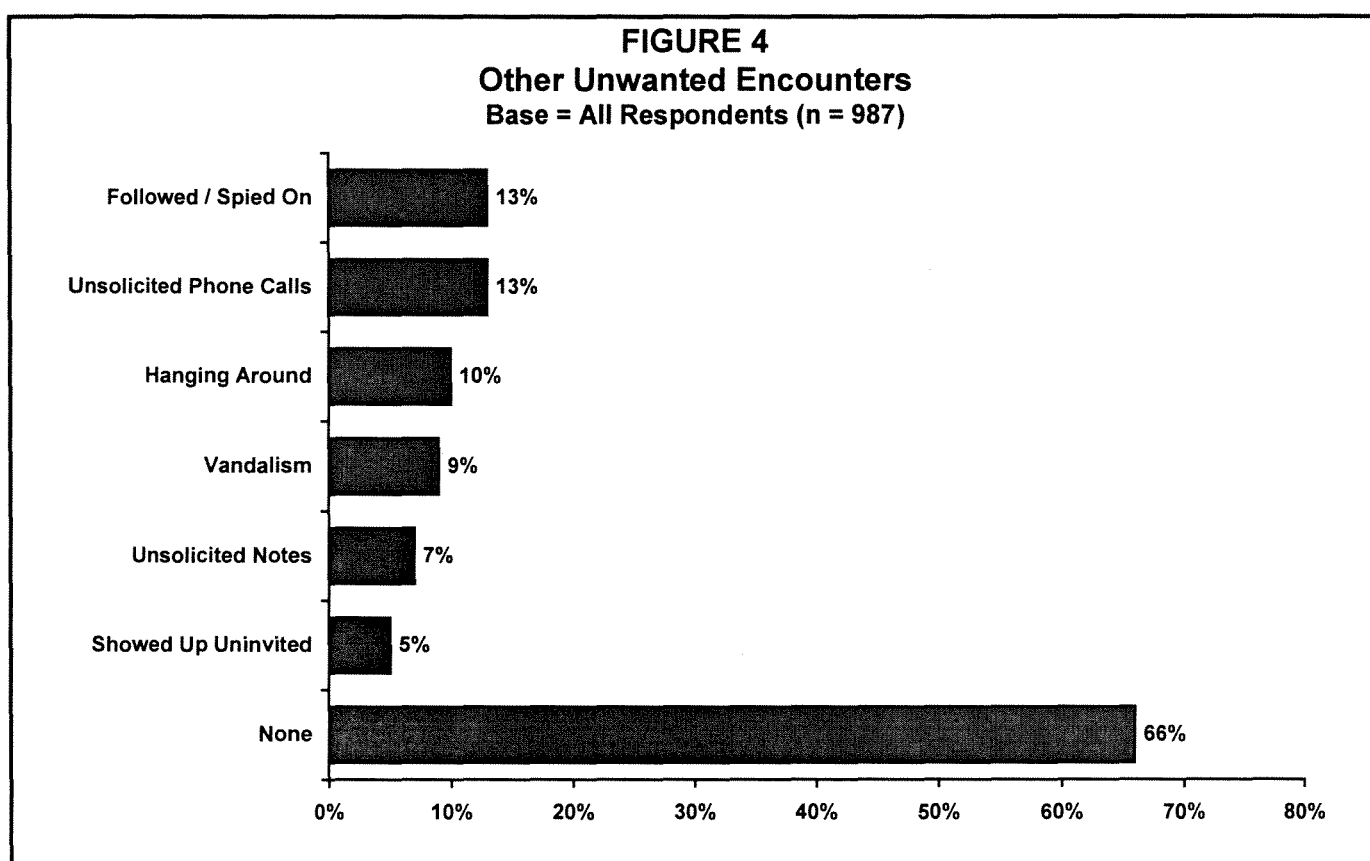


- Females are more likely to have experienced an unsuccessful attempt at unwanted sexual activity – 17% vs. 9% of males.

Stalking Type Behavior

Students were asked about their experience with various other unwanted encounters.

- On two or more occasions, 13% of students have been followed or spied on. Another 13% received unsolicited or unwelcome phone calls. One out of ten respondents (10%) has felt uncomfortable because of someone hanging around their home or work. Nine percent (9%) have had their property vandalized or destroyed, 7% received unsolicited notes, letters, or e-mails, and 5% have had someone show up at places when they had no business being there.
- Two-thirds (66%) of all respondents have experienced none of these other unwanted encounters.



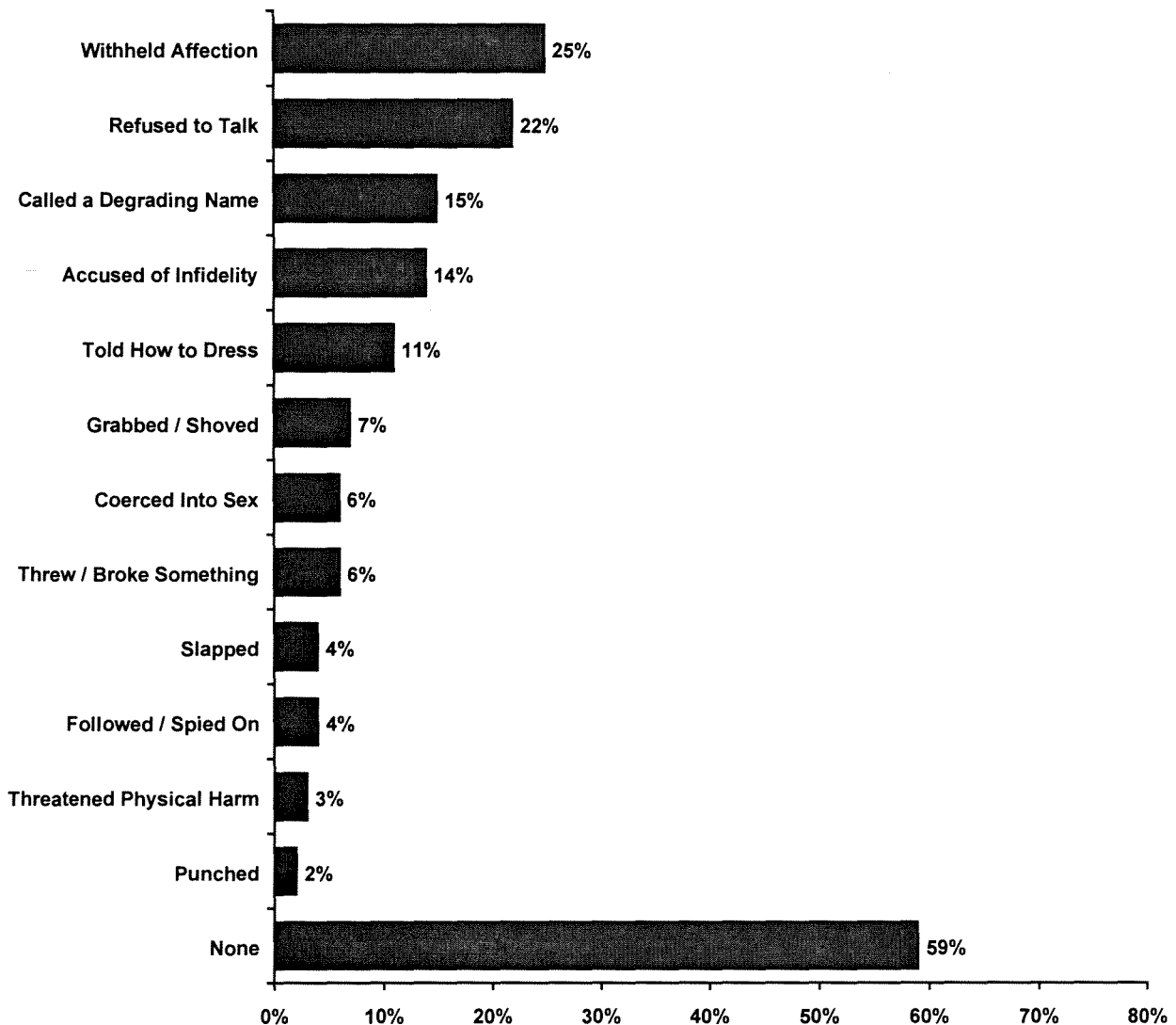
- Female students are more likely to have been followed or spied on – 15% vs. 8% of males. They are also more likely than males to have received unsolicited phone calls – 14% vs. 9%. However, the men surveyed are more likely to have been victims of vandalism – 13% vs. 8% of women.

Intimate Partner Behavior

Specific unwanted behaviors committed by respondents' intimate partners include: withholding affection (25%), refusing to talk (22%), using degrading names (15%), wrongful accusations of flirting or having sex with someone else (14%), being told how to dress (11%), being grabbed or shoved (7%), being coerced into having sex (6%), and throwing or breaking something during an argument (6%).

- Fifty-nine percent (59%) of all respondents have not experienced these unwanted encounters with an intimate partner.

FIGURE 5
Unwanted Encounters with an Intimate Partner
Base = All Respondents (n = 987)

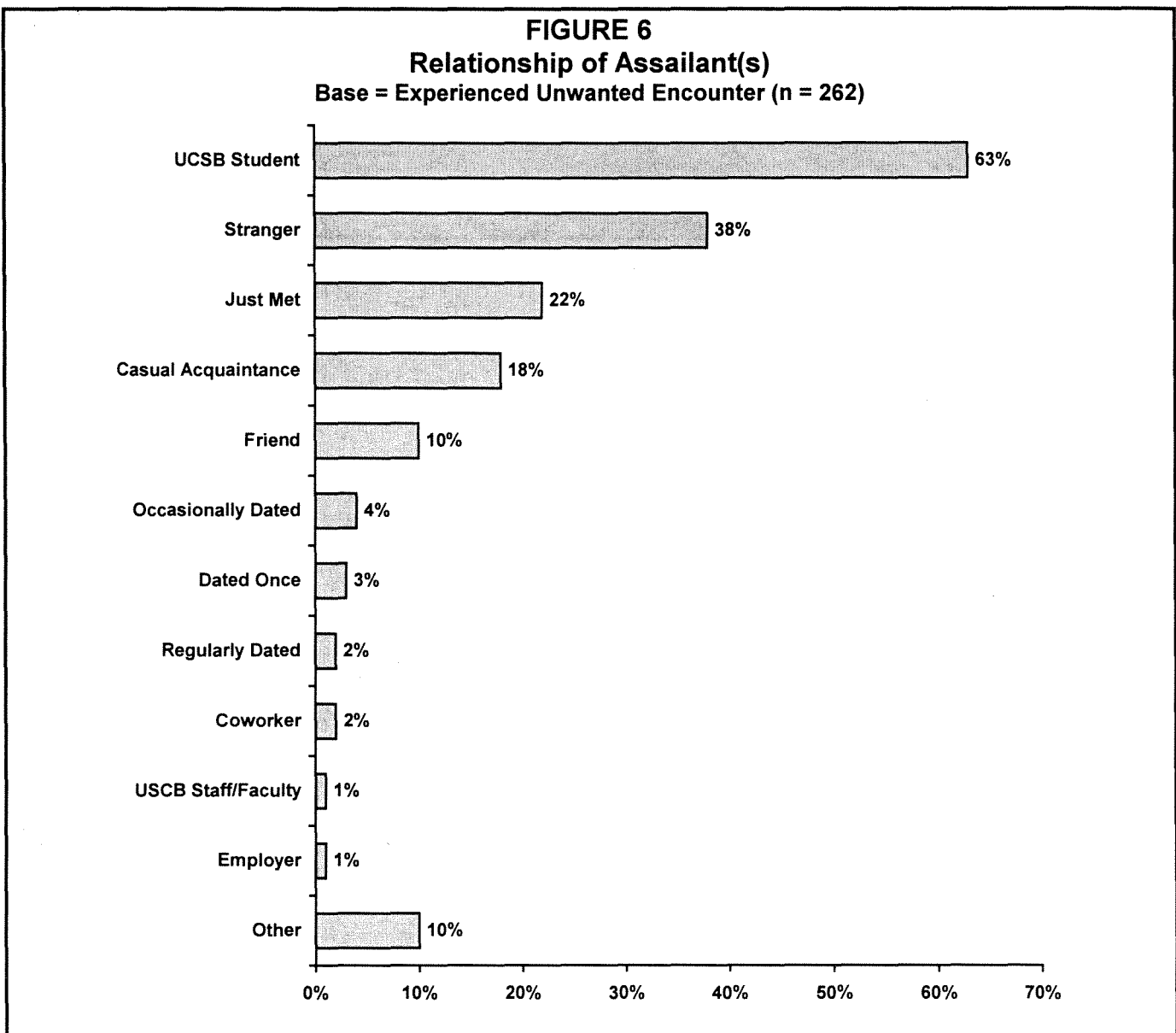


Who Is Involved ?

Respondents were asked specific questions about the assailant(s) who committed their most recent incident of unwanted physical sexual activity.

Relationship

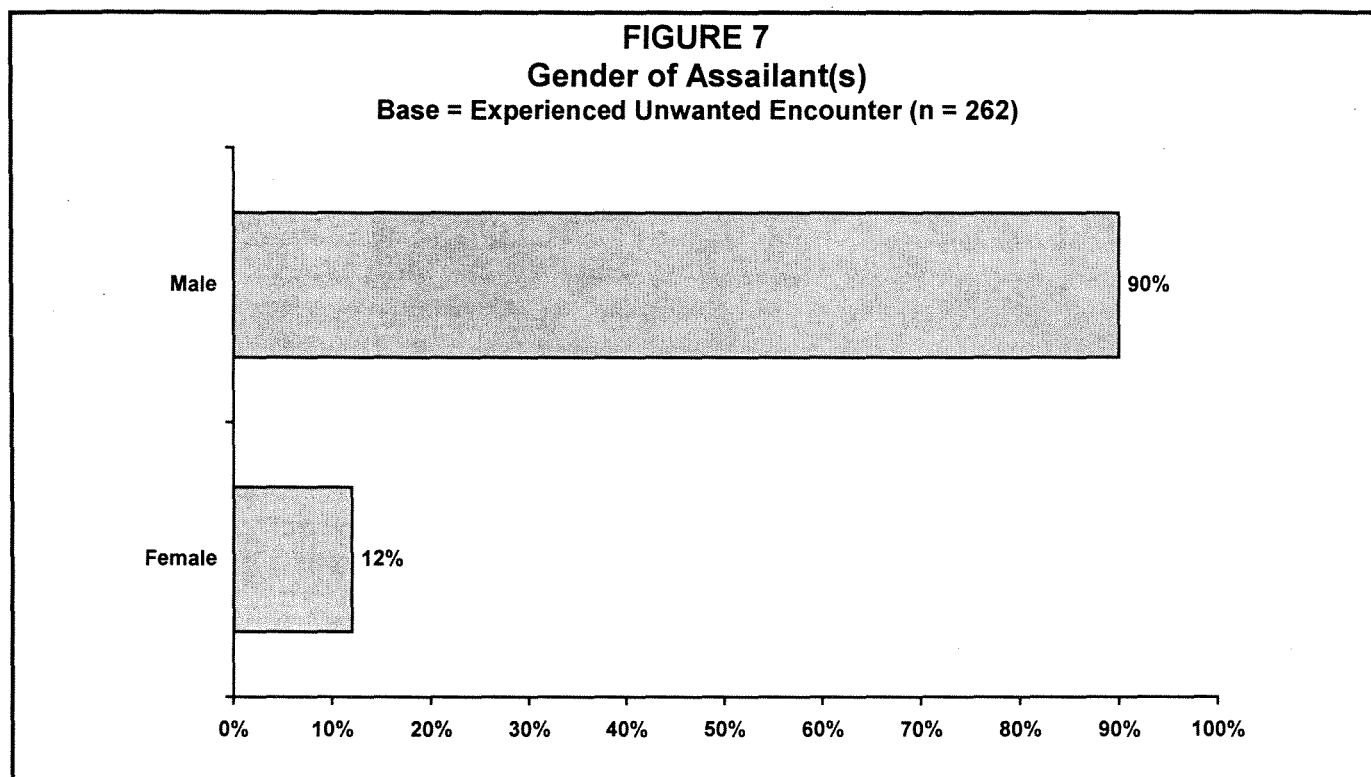
Nearly two-thirds (63%) of those responding report that a UCSB student committed their most recent incident of unwanted sexual activity. Strangers were the second most likely assailants, committing 38% of the most recent incidents. An additional 22% had just met their assailants prior to their encounter.



Women were more likely than men to say they had their most recent unwanted encounter with a stranger (40% vs. 23%).

Gender

Still looking at the most recent incidents, nine out of ten (90%) assailants were male, while 12% were female (multiple responses were allowed, indicating that at least some incidents were committed by both men and women together).

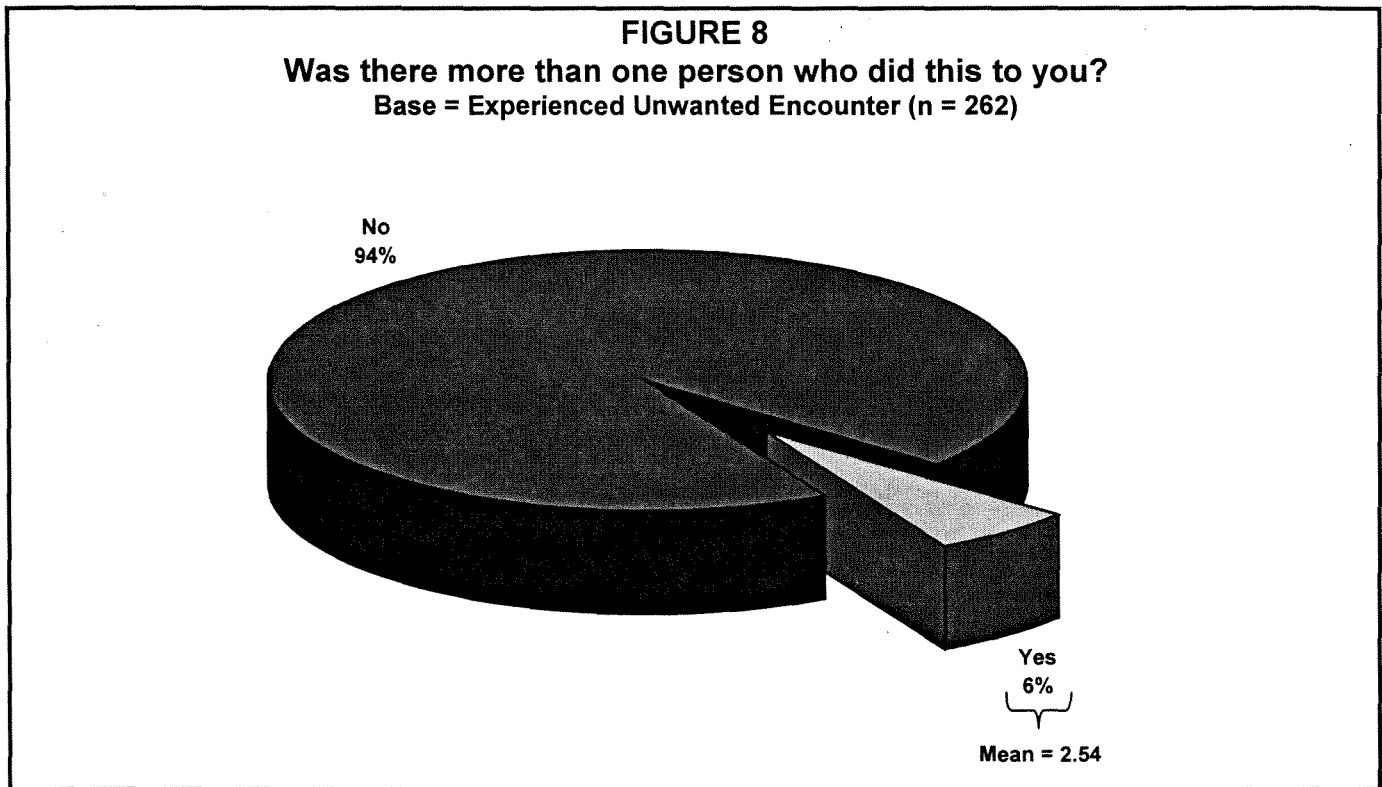


While women were more likely to be assaulted by men and men were more likely to be assaulted by women, there was a higher incidence of male-on-male than female-on-female unwanted physical sexual activity.

Table 1		
Gender of Assailant(s) vs. Respondent Gender		
Base = Experienced Unwanted Encounter (n = 262)		
Assailant	Respondent	
	Male	Female
Male	17%	99%
Female	87%	1%

Multiple Assailants

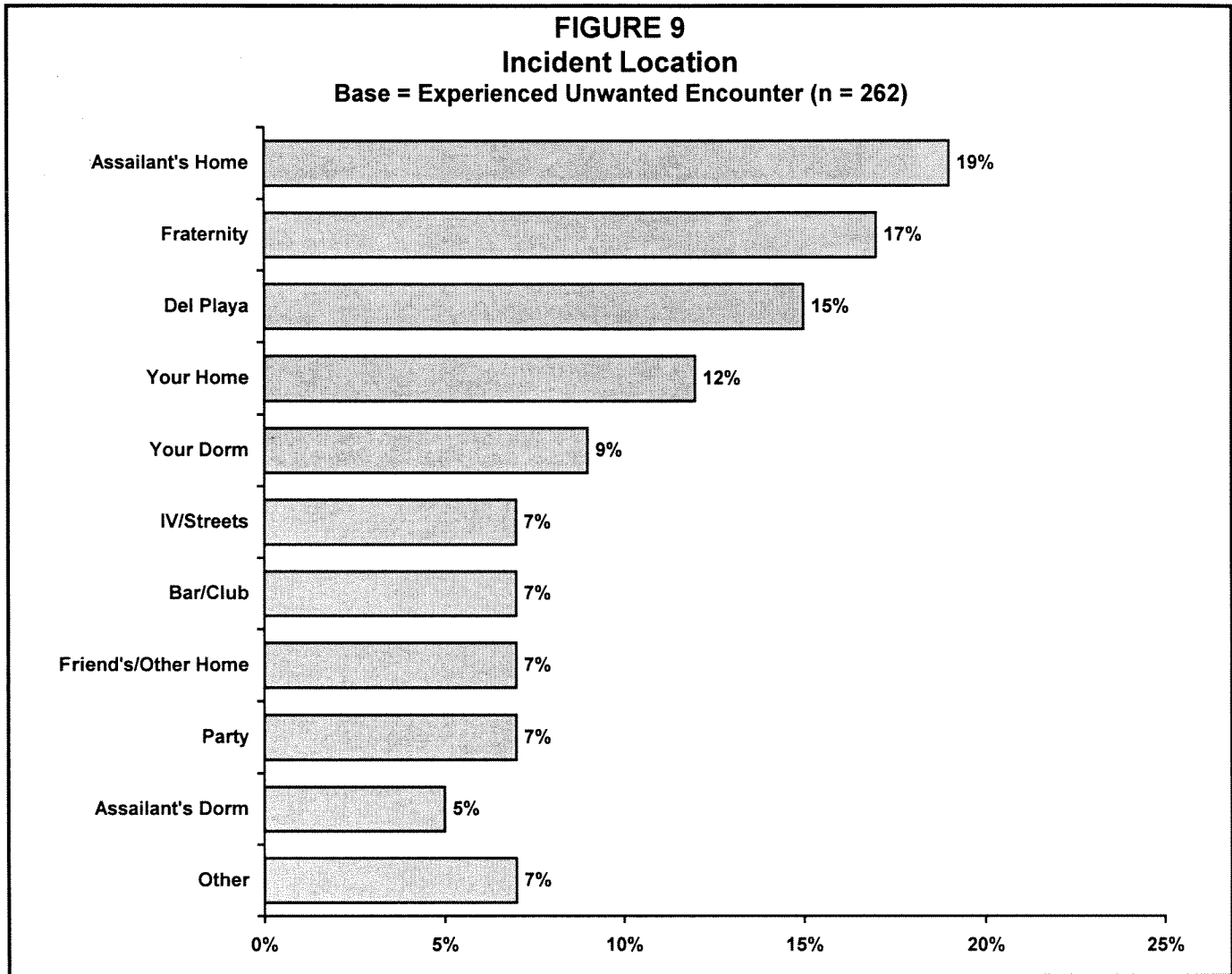
Six percent (6%) of the most recent unwanted physical sexual encounters were committed by more than one other person.



- Freshmen are more likely to say that multiple assailants were involved in their most recent encounter – 15% of freshmen vs. 2% of sophomores and 4% of juniors and seniors.

Where Does It Happen ?

The most common location of most recent incidents was the assailant's home, mentioned by 19% of those responding. Seventeen percent (17%) of students surveyed experienced unwanted physical sexual activity at a fraternity house. An additional 15% report that their most recent unwanted encounter occurred on DP.



- Men are more likely than women to say that they experienced unwanted physical sexual activity in their residence hall room (23% vs. 6%).
- Women are more likely than men to have had their most recent encounter at a fraternity (19% vs. 3%).

Multiple assaults correlated with location

	Q5 More than 1 assailant	
Q7 – Location of incident	Yes	No
Your residence hall	-	9%
Other person's residence hall	-	5%
Fraternity house	40%	16%
Your apartment/home	7%	13%
Other person's apartment/home	20%	19%
Car or other vehicle	7%	2%
At a party	-	7%
Friend's home	-	3%
Someone else's home	-	5%
Bar or club	7%	7%
Del Playa	13%	15%
Other streets / IV	7%	7%
Campus / class	-	1%
Other	7%	3%

How Did Students React ?

Reporting the Incident

More than eight out of ten (81%) of those responding told someone about their most recent unwanted physical sexual encounter.

- The majority told either a friend of the same gender (75%) or a friend of the opposite gender (32%) about their most recent unwanted physical sexual encounter. Twelve percent (12%) told someone they were dating, 7% told a parent or other relative, and 3% told a UCSB counselor or RA.
- Two percent (2%) of students who experienced unwanted physical sexual activity reported their most recent incident to the UCSB Women's Center.

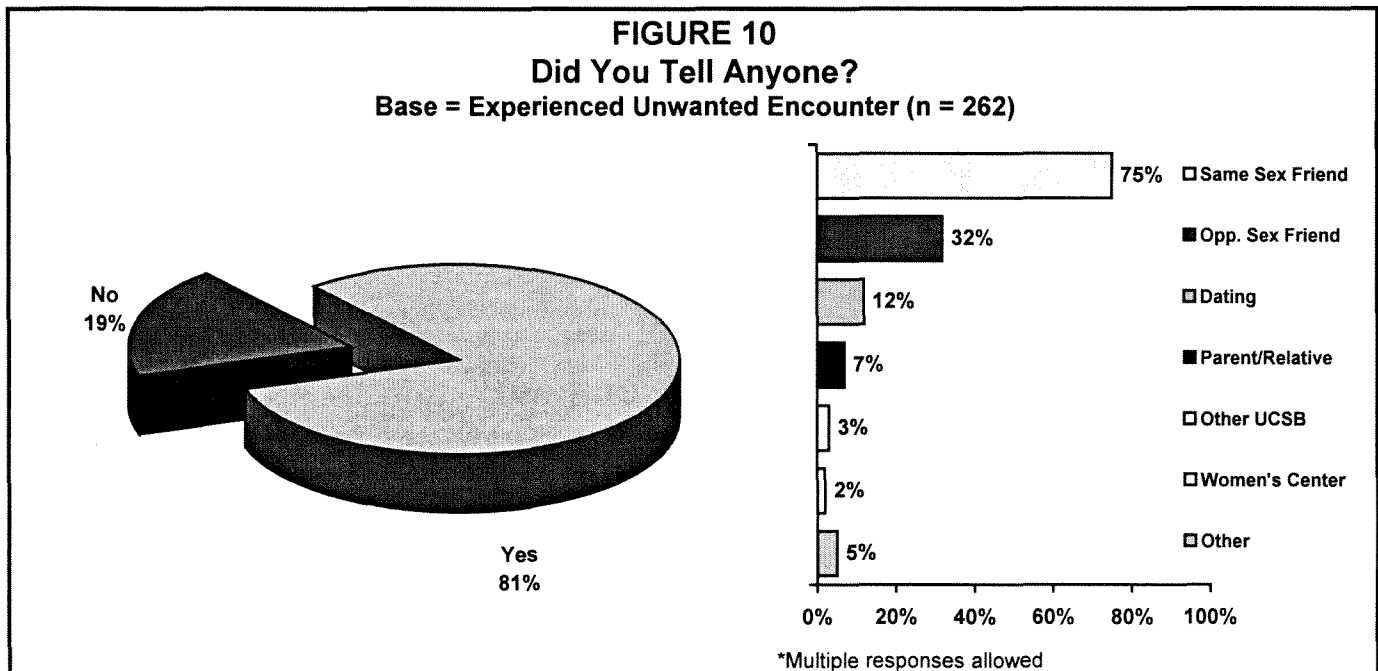
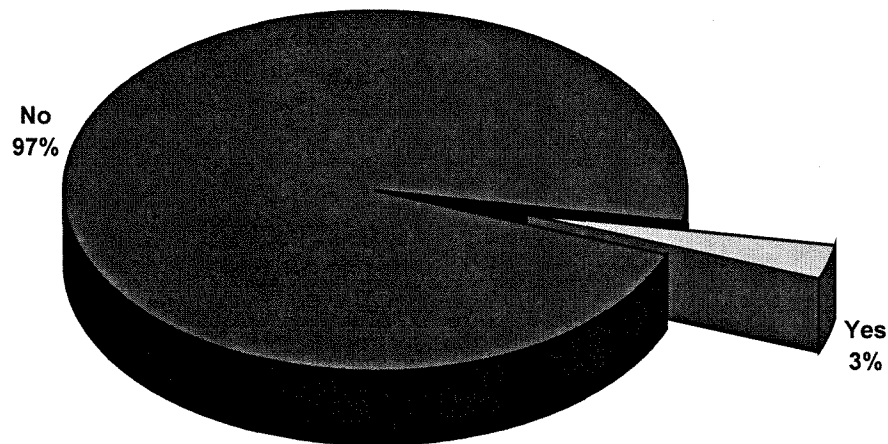


FIGURE 11
Did you report the incident to police?
Base = Experienced Unwanted Encounter (n = 262)



- Note that a significantly higher percentage of those who have experienced unwanted vaginal penetration say that they did not report their encounter to police because they felt they might be partly to blame – 73% vs. 24% overall. Moreover, 46% of those who did not report their unwanted vaginal penetration to police didn't do so because they did not want to face the police questioning – compared to 16% of all respondents who did not report their encounters to police.

Only 3% of all students who have experienced an unwanted physical sexual encounter reported their most recent incident to the police.

When physical force or the threat of physical force was used during an unwanted sexual encounter, the victim was no more likely to report the incident to police. Among those who did report their encounters to police, the threat of physical force was used on an average of .25 occasions, which is similar to the average of .22 occasions among students who did not report their incidents to police.

What factors influence whether student told someone or reported to police?

	Q10		Q11	
	Told someone		Reported to police	
Q7 – Location of incident	Yes	No	Yes	No
Your residence hall	7%	15%	13%	8%
Other person's residence hall	4%	6%	-	5%
Fraternity house	18%	13%	-	18%
Your apartment/home	14%	7%	-	13%
Other person's apartment/home	16%	30%	63%	17%
Car or other vehicle	2%	2%	<1%	2%
At a party	7%	9%	<1%	8%
Friend's home	3%	2%	<1%	3%
Someone else's home	5%	2%	13%	4%
Bar or club	9%	2%	-	8%
Del Playa	16%	11%	-	15%
Other streets / IV	7%	7%	-	7%
Campus / class	< 1%	4%	-	1%
Other	4%	4%	38%	3%

Reasons cited for not reporting the incident to police include:

- I did not think a crime had been committed (65%)
- I just wanted to put it out of my mind (27%)
- I felt I might be partly to blame (24%)
- I did not want to face the police questioning (16%)
- I was afraid my parents/friends might find out (16%)
- It was not a big deal / I wasn't upset (15%)
- I did not want to get the person in trouble (11%)
- I was afraid others would blame me (11%)
- I did not want to face the possibility of a trial (9%)
- I was afraid of retaliation (7%)
- I did not think I would be believed (6%)
- Other (11%)

Verbatim Comments from students on why they did not report

It was wrong but it seems as if it was "normal" or accepted behavior for guys.
It happens all the time as a girl you get used to it and laugh about it
Not an extremely big deal
It wasn't a big deal.
Wasn't that bad! Worse things happen on DP than having your breasts / butt grabbed.
I didn't really care
It wasn't too serious
Didn't upset me that much
It wasn't worth the trouble
Don't care
I didn't feel violated or anything-it wasn't a big deal
It wasn't a big deal. And is not!!
Not that big of a deal
Didn't think it was severe
Didn't know his name
I don't know who it was, and it is something usual on DP
Didn't know who the person was
Couldn't identify the individual
Don't know person -"Fly by"
Don't know who did it
Didn't know who it was
Person just walked away didn't know who it was
Embarrassed and the other person apologized the next day
He was a friend-playing around
The person crossed the line, but I told him off & held my own.
Wasn't a big deal, just a quick grab in passing
Rationalized it was a drunk over crowded place.
Was not a big deal; miscommunication
I was able to let him know I was not interested but I pushed him away a few times first.
I didn't want to get my employer into so much trouble that he would lose his practice and income
I was drunk and don't know if I consented or not.
I didn't want to be on the front page of the Nexus for getting a popular staff member fired.
I know there was more I could have done to not go thru with it
I said no
Lost person in crowd
The lame reason it happens all the time. I take care of it
Not worth time
I yell at them and move on
Not sure he meant to touch me and I hit him afterwards so didn't want to get in trouble for that.
It happens all the time to many people
I handled it myself and stopped talking to the guy
Happens too often, not a big deal. I can take care of myself.
Didn't think anything could be done- people said it was harmless

Background and Methodology

The objective of the 2001 Unwanted Sexual Experiences Survey was to gather information about unwanted physical or sexual encounters that may have occurred to undergraduate students at UCSB, in order to better understand the quality of student life on this campus.

The survey was administered to a random sample of UCSB undergraduate students during Winter quarter 2001. Since some of the survey content was highly personal and graphic in nature, participation was completely voluntary and survey responses remained confidential and anonymous.

A random sample of 5,286 students was drawn from a database of 17,538 UCSB undergraduates enrolled in Fall quarter 2000. Students selected for participation received a mailing, which included a scannable form questionnaire, a pre-paid return envelope, and a cover letter explaining the study objectives and their guaranteed anonymity.

987 students completed and returned their questionnaires, for a response rate of 19%.

Sample Characteristics

Students responding to the survey differ from the general undergraduate population in the following ways:

- Nearly three-fourths (73%) of survey respondents are female, compared to 54% of all Fall 2000 UCSB undergraduates.
- Seniors were more likely to respond to the survey (41% vs. 25% of the campus demographic), while freshmen were less likely to participate (13% vs. 25%).
- A higher percentage of Caucasian students responded to the survey, compared to the percentage of all Caucasian undergraduates (61% vs. 58%). A higher percentage of Latino students responded to the survey (9% vs. 4%). This may be due to over-sampling of this ethnic group.

Table 2
Demographic Characteristics of Sample vs. Population
Base = All Respondents (n = 987)

	Campus Demographics '00-'01	Respondent Demographics
Gender		
Male	46%	27%
Female	54%	73%
Transgendered Male to Female	-	<1%
Class Level		
Freshman	25%	13%
Sophomore	21%	18%
Junior	29%	27%
Senior	25%	41%
Other	<1%	2%
Ethnicity		
Am. Indian / Al. Native	1%	3%
Latino/a	4%	9%
Chicano/a	10%	6%
Asian / Pacific Islander	13%	14%
White	58%	61%
Black	3%	3%
Other	11%	5%

This report was prepared by Laurel White. Additional copies may be requested from the
Office of Budget and Planning, University of California,
Santa Barbara, CA, 93106
(805-893-7754).

Sexual Assaults Reported to the Rape Prevention Education Program January - December, 1999

ACQUAINTANCE ASSAULTS

	Total	Reported to <u>Law Enforcement</u>	<u>Incident occurred</u> IV / Campus / Other local / Not local			
Sexual Assaults	25	5	16	2	2	5
Attempted Sexual Assaults	3	1	2	-		1

Legal Dispositions

- Reported anonymously
- Rejected by the District Attorney
- Conviction - assailant charged with two counts of sexual assault and one count of attempted rape. He pled to two misdemeanor counts of battery, sentenced to 100 hours of community service; both survivor and perpetrator continued to attend UCSB
- Officer declined to take report - said no crime was committed; gave her the number for Rape Crisis Center
- Rejected by law enforcement
- Ruled unfounded, unsubstantiated by law enforcement

Academic Effects (Known)

- Transferred
- Missed academic deadlines
- Withdrew from one class
- Class adjustments because perpetrator was in the same class
- Withdrew from two classes
- Dropped out for one quarter
- Missed academic deadlines

STRANGER ASSAULTS

	Total	Reported to <u>Law Enforcement</u>	<u>Incident occurred</u> IV / Campus / Other local / Not local			
Sexual Assaults	0					
Attempted Sexual Assaults	4	4	2	0	2	-

Legal Dispositions

- Conviction
- Conviction
- Closed - No Suspect
- Closed - No Suspect

Academic Effects (Known)

- Incompletes for two quarters

❖ CALCASA T&TA Provider for Grants to Reduce Violent Crimes Against Women on Campus Program. Currently support VAW programs for over 50 campus communities nation wide.

❖ Violence against women -- including stalking, domestic violence, dating violence, and sexual assault -- is a serious problem on campuses, as it is across the nation. More than half of all stalking victims are between 18-29 years old and the highest rate of intimate-partner violence is among women ages 16-24. Sexual assault is the second most common violent crime committed on college campuses, according to a 1995 study. This study also revealed that:

Most perpetrators of sexual assault against college and university women students are students known to the victims.

Half of the off-campus sexual assaults occur in the victims' residence and an additional one-third occur in off-campus student housing, such as fraternities.

Most of the victims of sexual assaults are full-time students. Approximately one-third of them are first-year students between 17-19 years old.

Consistent with the findings of this survey, numerous other studies also have revealed that sexual assaults, as well as other forms of violence against women, are seriously underreported generally and on campuses, indicating that the problem is even more acute than the available data suggest.

- ❖ Campuses are unique. For instance, a victim of intimate partner violence or sexual assault may continue to live in danger if the perpetrator resides in the same residence hall or attends the same classes. On smaller campuses, a victim may wish to remain anonymous but may find this to be virtually impossible in such an insular environment. In other cases, a victim may be harassed by classmates or by a perpetrator's friends who claim that the victim "asked for it" or "provoked" the crime.
- ❖ Campuses are addressing violent crimes against women by developing campus-based responses that include campus victim services, campus law enforcement, health services, housing officials, administrators, student organizations, and disciplinary boards. To be effective, these responses must be linked to local criminal justice agencies and service providers, including local

law enforcement agencies, prosecutors' offices, courts, and nonprofit, nongovernmental victim advocacy and victim services agencies. This coordinated community response is intended to enhance victim safety and hold offenders accountable.

❖ Comprehensive, collaborative approaches are the most effective in dealing with these issue. The campus community can create large-scale social change by adopting policies and protocols that treat violence against women crimes as serious offenses and by developing victim services and programs that make victim safety, offender accountability, and prevention of such crimes a high priority. Institutions of higher education are in a unique position to educate young men and women about violence against women and to help shape values, attitudes, and behavior that students will carry with them into their adulthood. Through their policies, protocols, and actions, colleges and universities can demonstrate to every student that violence against women in any form will not be tolerated and that sexual assault, stalking, domestic violence, and dating violence are crimes with serious legal consequences.

- ❖ The UC system recognized this and began to address this issue a long time ago, however, \$\$ and resources continue to be a problem.

Congress realized that campuses need to be systematically addressing the issue of VAW. They have appropriated 10 Million a year thru 2005 to address VAW on campus. However these grants are competitive and only 2 California Campuses are currently receiving extra funds. These grants are designed to help campuses develop or continue to develop their VAW program on Campus, with the intention that the campus will institutionalize these programs. What I do know is that unfortunately for many of the advocates and project directors that I work with, when that money runs out, they will need to let go additional staff and programs they were able to run because the institutions of higher education will not commit \$\$ to this issue.

California has the ability once again to be a fore runner in this issue and consistently address the issue of VAW on Campuses. The service providers that we do have on campus, need consistent \$\$\$, to know that when the institution cuts the budget the VAW office is not the first to go.

I would be interested in a thorough exam of current services provided by the campuses, how much \$\$ they are providing, what types of services, how many staff etc. This baseline data would give lawmakers an idea of what we have and what we need to offer.

Representatives of each segment:

University of California

California State University

California Community Colleges

Independent Colleges and Universities



UNIVERSITY OF CALIFORNIA

**CLERY ACT
COMPLIANCE MANUAL**

June 2001



UNIVERSITY OF CALIFORNIA

**CLERY ACT
COMPLIANCE MANUAL**

June 2001

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Overview of the Clery Act

Clery Act Overview

Introduction

The “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998,” commonly referred to as the “Clery Act,” [1] requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community. The purpose of this Compliance Manual is to provide University of California employees who have responsibilities under the Act with the University’s guidelines for meeting the various Clery Act requirements and to describe procedures for each campus to comply with these requirements. Each campus will be responsible for establishing appropriate procedures for complying with the Clery Act that are consistent with these guidelines.

The University provides crime information and statistics to the public in a variety of ways. In addition to the Clery Act, the University provides to the California Department of Justice crime statistics that are classified pursuant to the Uniform Crime Reporting (UCR) Program administered by the FBI. These statistics are reflected in the University of California Police Department *Annual Report and Crime Statistics*, the annual California Department of Justice *Crime in California*, and the annual FBI *Crime in the United States* publications.

Background

The current Clery Act is the latest iteration of a law first passed by Congress in 1990 as part of the Higher Education Act, “The Student Right-To-Know and Campus Security Act of 1990,” [2] This law, and regulations adopted by the Department of Education implementing the law, have been subject to evolution over the past 10 years.

The 1998 amendments, among other things, renamed the “Student Right-to-Know and Campus Security Act” as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” The 1998 amendments, which became effective October 1, 1998, expanded the campus responsibilities for recording crime statistics, the number of people from whom colleges must collect statistics, and revised reporting methods and deadlines. The Department of Education regulations implementing the 1998 amendments to the Clery Act were adopted November 1,

1999, and became effective July 1, 2000.[6] The 1999 regulations define and clarify reporting obligations for various geographic locations, clarify the responsibilities of counselors, add new categories of crimes to be reported and new policies to be disclosed, clarify how to compile and describe crime statistics, change the date for disclosure of the Annual Security Report to October 1, and require certain institutions (including the University of California campuses) to maintain a publicly available crime log.

Clery Act Requirements

The Clery Act includes the following general substantive requirements:

1. Compilation and Disclosure of Campus Crime Statistics

The Act requires the collection and reporting of annual crime statistics reflecting reports of specified crimes that occur on, and adjacent to, a university campus and certain properties associated with the campus. This statistical compilation must be broken down by specified types of crimes and campus disciplinary referrals, and must indicate if a specified crime is a hate crime, which must be reported by category of prejudice. Campuses must also provide a geographic breakdown of the crime statistics reported according to the following defined geographic areas: "on campus" (including a further breakdown of the number of crimes that occurred in campus student residential facilities), "in or on a non-campus building or property," and "on public property." [7]

2. Disclosure of Campus Safety Policies

The Annual Security Report prepared by a campus must, in addition to providing required crime statistics, describe specified campus policies concerning reporting criminal activity or other emergencies occurring on campus; policies concerning the security of, maintenance of, and access to campus facilities; campus law enforcement policies regarding the authority of campus law enforcement units and the facilitation of crime reporting; a description of the type and frequency of campus programs to inform students and employees about campus security procedures, security precautions, and the prevention of crimes; statement of policy concerning the monitoring and recording through local police agencies of off-campus criminal activity by students; statement of alcohol and drug policies including education programs; statement of policy concerning campus programs to prevent sexual assaults and procedures to be followed when such an assault occurs; and a statement advising the campus community where law enforcement agency

History of Changes to the Clery Act

The Campus Security Act was first introduced during the 101st Congress as House of Representatives Bill 3344 by Representative Bill Goodling (R-Pa.) and as Senate Bill 1925 by Senator Arlen Specter (R-Pa.). The goal of the legislation, as stated by Representative Goodling, was "to assist students in making decisions which affect their personal safety . . ." and "to make sure institutions of higher education provide students, prospective students and faculty the information they need to avoid becoming the victims of campus crime." Congressional Record 1990. President Bush signed the Act on November 8, 1990.

This federal Act was a response to campus safety issues that began to get greater attention by state and federal legislators during the late 1980s. The Act is modeled on a State of Pennsylvania law that was adopted following the murder of Jeanne Anne Clery in her Lehigh University dormitory room in 1986.

Congress amended the Campus Security Act in 1992 in two substantive ways. It first excluded campus law enforcement records from coverage under the Family Educational Rights and Privacy Act of 1974 ("FERPA"),[3] meaning that law enforcement records are not protected from disclosure on privacy grounds as "educational records." This amendment also provided that disclosure of the outcome of campus disciplinary proceedings concerning sexual assault to the victim and accused is not a violation of FERPA. The other substantive amendment incorporated the "Campus Sexual Assault Victims' Bill of Rights," which requires campus security policies to specifically address sex offense prevention and specifies procedures that must be included in a campus disciplinary proceeding.[4] These laws became effective September 1, 1992, and the Department of Education enacted final regulations implementing the Campus Security Act, as amended, on April 29, 1994.[5]

information concerning registered sex offenders may be obtained (this statement is not required until October 28, 2002).[8]

3. Timely Warning Requirements

The campus is required to report to the campus community those crimes considered to represent a threat to students and/or employees "in a manner that is timely and will aid in the prevention of similar crimes." [9]

4. Disclosure of Crime Log Information

Campuses that maintain a police department are required to maintain a daily crime log that contains specified information about any and all crimes that occur within the patrol jurisdiction of the campus police and that are reported to the campus police department.[10] Certain information may be withheld from the crime log under specified circumstances, primarily information that would jeopardize the success of an investigation or the safety of a person involved in the investigation. The campus must make the crime log for the most recent 60-day period open to public inspection during normal business hours, while crime logs containing material more than 60 days old must be retained for seven years for public inspection upon two days' notice.

Notes

- [1] 20 U.S.C. § 1092(f)
- [2] 20 U.S.C. § 1092(f)
- [3] 20 U.S.C. § 1232(g)
- [4] See 20 U.S.C. § 1092(f)(7) and 34 C.F.R. § 668.46(b)(11)
- [5] See 59 Federal Register 22314 et seq. (April 29, 1994), then found in section 668.47 to Title 34 of the Code of Federal Regulations
- [6] See 34 C.F.R. § 668.40 and 668.46
- [7] 34 C.F.R. § 668.46(c)
- [8] 20 U.S.C. § 1092(f)(l); 34 C.F.R. § 668.46(b)
- [9] 34 C.F.R. § 668.46(e)
- [10] 34 C.F.R. § 668.46(f)

The Annual Security Report

Clery Crimes

Each campus must include in its Annual Security Report a compilation of statistics for each of the three most recent calendar years concerning specified types of crimes and incidents that are reported to local police agencies or to a campus security authority and that occurred on campus and specified off-campus locations. (Note, the statistics for prior years need not be revised retroactively to reflect regulatory changes when reporting the current year.) The types of crimes and incidents that must be reported, the locations that are subject to the reporting requirement, and the individuals who receive such reports for reporting purposes, are all subject to definitions provided by the statute and its implementing regulations.

Definitions

The crime and incident statistics described below must be compiled using the definitions of crimes described in the Clery Act regulations. [1] These definitions are provided below. State law definitions are *not* relevant and should not be followed. A table correlating Clery Act definitions for reportable crimes with state law definitions is provided in the Appendices.

The definitions are provided by Appendix E to the Clery Act regulations, which, except for sex offenses, reflect definitions of the Uniform Crime Report (UCR) prepared by the Federal Bureau of Investigation (FBI). See Appendices.

Sex offenses are defined using the UCR-National Incident Base Reporting System (UCR-NIBRS). Because many law enforcement agencies use the UCR definitions for sex offenses to meet other reporting obligations, campuses need to be alert to the requirement to translate sex offense reports from UCR-based systems to UCR-NIBRS definitions for purposes of Clery Act reporting.

Hate Crime definitions are taken from the FBI's UCR Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection.

Copies of all these publications are available upon request to: FBI, Communications Unit, 1000 Custer Hollow Road, Clarksburg, WV 26306 (telephone: 304-625-2823).

Crimes

1. Criminal Homicide

(A) Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another.

(B) Negligent Manslaughter

The killing of another person through gross negligence.

2. Sex offenses

(A) Forcible Sex Offenses

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- Forcible Rape — The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- Forcible Sodomy — Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- Sexual Assault With An Object — The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- Forcible Fondling — The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

(B) Nonforcible sex offenses

Unlawful, nonforcible sexual intercourse.

- Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

3. Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

4. Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

5. Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

6. Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

7. Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

8. Liquor law violations, drug law violations, and illegal weapons possession

(A) Arrests

Liquor Law Violations — The violation of *laws* or *ordinances* prohibiting:

- The manufacture, sale, transporting, furnishing, possessing of intoxicating liquor;
- Maintaining unlawful drinking places;
- Bootlegging;
- Operating a still;
- Furnishing liquor to a minor or intemperate person;
- Using a vehicle for illegal transportation of liquor;
- Drinking on a train or public conveyance;
- Any attempts to commit any of the foregoing violations.

Note: Drunkenness and driving under the influence are not included in the definition of “liquor law violations” for Clery Act reporting purposes nor are violations of school alcohol policies that do not rise to the level of a crime.

Drug Law Violations – Violations of State and local laws related to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

Weapon Law Violations — The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

(B) Disciplinary Referrals

Incidents in which the person was not arrested, but instead was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession. Note the Clery law and the regulations differ in wording. The former refers to persons and the latter to students. Campuses should report incidents in which employees were referred for disciplinary action as well as student disciplinary referrals.

Practical Guidance Concerning

... Liquor Law Violations

Under the definition of "liquor law violations" an alcohol-related incident that constitutes a violation of University policy, but does not constitute a violation of law covering the circumstances described in the definition, is not required to be reported pursuant to the Clery Act. Also, alcohol-related incidents that *do* constitute violations of state law or local ordinances concerning "drunkenness" and "driving under the influence," although crimes, need not be included in Clery Act statistics, as these types of crimes are expressly excluded from the definition of "liquor law violations."

... Drug Law Violations

Appendix E to the Clery Act regulations defines the term "drug abuse violations," which is the term used in the Clery Act. The Clery Act regulations use the slightly different term "drug law violations," in describing the reporting requirements. The University's interpretation of these provisions is that the two terms mean the same thing and can be used interchangeably.

The definition of "Drug Abuse Violation" first indicates that it is intended to encompass only "narcotic drugs," but then goes on to define the relevant "narcotic drugs" as including "dangerous non-narcotic drugs." For purposes of recording relevant Clery Act statistics, campuses should not distinguish narcotic and non-narcotic drugs in accounting for drug law violations.

... Illegal Weapons Possession

Both the Clery Act and the Clery Act regulations refer to "illegal weapons possession" with regard to the statistical reporting requirement. The interpretive definition found in Appendix E to the Clery Act regulations does not refer to weapons possession, but instead contains a definition for "weapon law violations." It appears that the Clery Act intended only to require reporting of statistics concerning violations of criminal laws concerning weapons *possession*, but not other types of weapon law violations relating to manufacture or sale of weapons. For practical purposes, this is likely a distinction without significance as most weapons law violations at a campus likely involve the possession, not the manufacture or sale, of weapons. The University's interpretation is that all weapons law violations, not just those limited to weapons possession, should be included in the statistics reported in the Annual Security Report.

9. Hate Crimes

With regard to (a) each of the crimes numbered 1 through 7, above, and (b) any other crime involving bodily injury, reported to local police agencies or to a campus security authority, each campus must report, by category of prejudice, each such crime that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.[2]

Practical Guidance Concerning Hate Crimes

Scope

It is important to note that the hate crime reporting obligation extends not only to the crimes specified by the Clery Act, and numbered 1 through 7 above, but also to non-Clery reportable crimes reported to local police agencies or to a campus security authority "involving bodily injury."

Definitions of Hate Crime

The FBI's UCR Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection should be followed for determining whether a crime must also be reported as a "hate crime." Pursuant to the applicable UCR standards, the determination of whether the hate standard is met is based upon an assessment of the motivation of the perpetrator to select the victim or the crime, not the victim's perception.

Reporting Recommendations

Although not expressly required by the Clery Act or the Clery Act regulations, the University has decided to require that the statistical summary identify both the type of crime for which a hate designation has been applied, and the location of each hate-designated crime, because that format would be most informative. Campuses should begin reporting hate crimes by location as soon as possible but no later than the 2003 report on the 2002 year.

Reporting Standards

State Law Correlation Table

This table, found in the Appendices, correlates the Clery Act definitions for the reportable crimes specified above with California state code provisions that encompass each such crime.

Police Determination

Each campus police department is responsible for classifying crimes in accordance with Clery Act definitions and for determining whether the crime is subject to Clery Act reporting requirements. [59 Fed. Reg. 22315, 318 (April 29, 1994)] Crime classification determinations are subject to the judgment of the police department based upon UCR Handbook guidance, the circumstances of each case, and law enforcement experience. [See, e.g., FBI Uniform Crime Reporting Handbook (1984), pp. 5, 20, 21.] For example, if it is unclear whether or not property taken from a campus dormitory room was the result of trespassing by a non-resident of the room (burglary) or by a room resident who had legal access to the property (theft), final determination of the appropriate classification will be subject to the judgment of the police department. There is no "default" methodology (i.e., if it cannot be proven whether or not the room access was legal, there is no requirement that the crime be classified as burglary.)

Different Reporting Standard for Liquor, Drug, & Weapons

The Clery Act treats incidents involving "liquor law violations," "drug law violations," and "illegal weapons possession" differently from other crimes for which statistics must be reported. Incidents involving such liquor, drug and weapons crimes must be reported for statistical purposes only where:

- *arrests* occurred, or
- for those incidents where no arrest occurred, but the matter was *referred for campus disciplinary action*.

Also, rather than FBI crime definitions, reference must be made to (1) California's *state* law and (2) applicable *local* ordinances, when classifying these crimes for Clery Act statistical reporting purposes. Further, as explained below under "Hierarchy Rule," the statistics published must reflect the *number of persons* who were arrested or referred, not simply the number of incidents as is the case with the other Clery Act crimes.

Hierarchy Rule

The Clery Act requires campuses to compile statistics for the specified crimes in accordance with the FBI's UCR standards. Under these UCR standards, if multiple offenses are committed at the same time and place by a person or a group of persons, generally the crimes will be recorded for statistical purposes as reflecting only the highest ranking crime reported.

The UCR program divides crimes into two groupings, Part I crimes, the most serious crimes, and Part II crimes, less serious crimes. Within each grouping, the crimes are ranked from the most serious to the least serious.

- If two Part I crimes are committed as part of the same incident, only the highest-ranking crime reportable under Clery should be included in the statistical compilation for the Annual Security Report.
- The same "hierarchy rule" applies to Part II offenses that are subject to Clery Act reporting requirements.
- If an incident involves one Part I crime and one Part II crime, only the Part I crime should be counted for statistical purposes.

Arson Exception

The only exception to the "hierarchy rule" is for arson, which must always be reported separately.

"Body Count" for Alcohol, Drug, and Weapons Offenses

These statistics must reflect the *number of persons* who were arrested or referred for disciplinary action, not simply the number of incidents as is the case with other Clery Act crimes.

Summary and Examples

A summary of UCR Part I and Part II offenses, a further description of the "hierarchy rule," and examples of applying the hierar-

chy rule are included in the Appendices. Campus police familiar with the application of the hierarchy rule must make the crime classification determination based on guidance from the UCR Handbook.

Calendar Year Reporting

The November 1, 1999, revisions to the Clery Act regulations make clear that a crime statistic must be reported for the calendar year in which the crime was reported to the campus security authority.[3] For example, if a reportable crime occurs in July 2001, is reported to the campus Student Judicial Affairs Officer in December 2001, and the campus police are notified of the incident in January 2002, the crime statistic should be reported as having occurred in calendar year 2001, reflecting the date it was reported to the Student Judicial Affairs Officer.

No Personally Identifiable Information

The crime statistics required to be included in the Annual Security Report must not include any information that would identify the victim or the person accused of committing the crime.[4]

Notes

- [1] See 34 C.F.R. § 668.46(c)(7)
- [2] 34 C.F.R. § 668.46(c)(3)
- [3] 34 C.F.R. § 668.46(c)(2)
- [4] 34 C.F.R. § 668.46(c)(5)

Security Authorities

The crime statistics reflected in the Annual Security Report must reflect crimes subject to reporting under the Clery Act that are reported to “local police agencies,” or to a “campus security authority.”[1] The campus is required to collect crime statistics from all persons falling within the following definitions:

Local Police Agencies

A campus must make “a reasonable, good faith effort” to obtain the required statistics from all local or state police agencies having jurisdiction over locations included in the campus’ reporting obligation: the “campus,” and all “public property” within or immediately adjacent to the campus; and “non-campus buildings or property.” [2] Police departments of cities adjoining a campus, and the Sheriff’s departments of counties in which reportable property is located must all be contacted in writing. The campus must keep a record of correspondence directed to these law enforcement agencies requesting the necessary statistical information and also document the responses provided by these agencies.

If, after such reasonable, good faith efforts to obtain this information, the police agencies fail to supply the required statistics, the campus is not responsible for such failures. However, if the campus is simply unable to obtain statistics from local police agencies in the Clery Act required format (e.g., statistics reflect California Penal Code definitions rather than UCR definitions), then the statistics should be footnoted with an explanation of how the campus requested the statistics and the discrepancies between the manner in which the statistics were requested and the manner in which they were received. The statistics from these entities should be included in the report to the extent reasonably possible.

Campus Security Authorities

The November 1, 1999, amendments to the Clery Act regulations clarify the definition of “campus security authority.” [3] The definition of each group included in this definition is described below in bold.

1. Campus Police Department

“A campus police department or a campus security department of an institution.”

2. Individuals with Campus Security Responsibility

“Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department . . . such as an individual who is responsible for monitoring entrance into institutional property.”

This is a new component to the definition of campus security authority and there is scant discussion of this component in the Department of Education explanation accompanying the 1999 amendments to the regulations. Each campus must identify those individuals with campus job functions that fall within this component. Examples of job functions that would meet the requirements of this component are campus employees having security duties with respect to parking and transportation on campus (e.g., parking enforcement staff, bicycle patrol staff, etc.); campus safety escort staff; and campus security staff for events held at locations subject to the reporting requirement (e.g., concerts held in campus theaters and spectator athletic events held in campus facilities). These may be identified as units instead of individual titles when the vast majority of the employees in the unit must report (e.g., Parking Office), or as categories of titles as appropriate.

3. Designated Individuals

“Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.”

This component of the definition is not explained. However, this group must be defined and listed in the campus security policy. Although many officials may receive and report incidents of crime (see Officials with Significant Responsibility for Student and Campus Activities below), the category Designated Officials should identify the units and officials to whom campus policies direct students to report crime. This list may vary from campus to campus. For example, in addition to the UC Police Department, the list might include Residence Hall staff if campus policies direct students to report incidents to them.

Background Information on Campus Security Authorities with Counseling Responsibilities

The determination as to whether campus officials with counseling responsibility are obligated to provide statistical crime information has been the subject of confusion. This section is intended to clarify this issue.

Since its adoption in 1990, the Clery Act provisions governing disclosure of campus crime statistics have required that an annual report include statistics reflecting the occurrence on campus of specified crimes reported to "campus security authorities or local police agencies." [6] "Campus security authority" has not been defined by the statute. The first regulations adopted by the Department of Education to implement requirements concerning the reporting of crime statistics, adopted on April 29, 1994 [7], did provide a definition of "campus security authority," which included the following relevant component:

"(3) An official of an institution who has significant responsibility for student and campus activities, *but does not have significant counseling responsibilities.*" [8]

Many campuses relied on this definition of "campus security authority" provided by the regulations, and the explanations provided by the Department of Education accompanying the adoption of the 1994 regulations, in concluding that persons with "significant counseling responsibilities" were exempt from the crime reporting requirements of Clery.

The Department of Education discussion of comments concerning the definition of "campus security authority" accompanying its adoption of the 1994 regulations was interpreted by many campuses as an indication that the Department intended the definition of "campus security authority" to apply specifically to the statistical reporting requirements of the Clery Act. The Depart-

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Background *continued*

ment notes that "to ensure consistent reporting of crime statistics, it is necessary to define the term campus security authority and to include within the definition ... an official of an institution who has significant responsibility for student and campus activities, but does not have significant counseling responsibilities." The Department's discussion of the definition of "campus security authority" makes no reference to a limitation of this definition to "timely warning" requirements.[9]

It should be noted that the Department regulations adopted on April 29, 1994, required that Clery Act statistics reflect specified crimes reported to "local police agencies and to any official of the institution who has significant responsibility for student and campus activities." Note that these regulations did not use the term "campus security authority" in this crime reporting requirement as is reflected in the Clery Act. Instead these regulations applied the term "campus security authority" only in connection with the "timely warning" provisions of the regulations, discussed below.

In a May 1996 "Dear Colleague" letter from the Department of Education to colleges and universities, the Department provided clarification of its Clery Act regulations. This letter addressed, among other things, the obligations of campus officials with "significant counseling responsibility." The "Dear Colleague" letter indicates that campus officials with "significant counseling responsibility" were not subject to the timely warning requirement, but that this exception did not apply to statistical reporting obligations.

4. Officials with Significant Responsibility for Student and Campus Activities

"An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor."

Significant Responsibility

In the past, the Department of Education has explained that the determination whether individuals have "significant responsibility for student and campus activities" must be based on the function of the administrator, not position titles. Individual institutions were left to identify officials with such responsibility.[4]

The Department of Education provided further guidance in its explanation to the 1999 amendments to the regulations.[5] There the Department emphasized that "absent this responsibility [significant responsibility for student and campus activities], an employee is not a campus security authority." The examples provided in the explanation to the 1999 regulations indicate a presumption that the responsibility must include both "student *and* campus activities," reflecting a focus on student, rather than staff or faculty, activities.

The following are examples of employees identified by the Department that *do* have significant responsibility for student and campus activities:

- Dean of Students
- Student Housing Officials
- Student Discipline Officials
- Student Judicial Affairs Officials
- Officials who oversee a student center
- Officials who oversee student extracurricular activities
- Director of Athletics
- Team coaches
- Faculty advisors to student groups.

The following are examples of employees cited by the Department as *not* having significant responsibilities for student and campus activities:

- "A single teaching faculty member ... except when serving as an advisor to a student group."
- "A physician in a campus health center ... whose only responsibility is to provide care to students"

- “[A] counselor in a counseling center whose only responsibility is to provide care to students”
- Clerical staff.

By August 1, 2001 and on July 1 of subsequent years, each campus will identify those campus officials having “significant responsibility for student and campus activities” and provide a list for review by the UCOP Clery Conformance Advisory Committee. The Appendices include a sample list (from the Davis campus) of officials that have been determined to meet these criteria.

An individual who is determined not to have significant responsibility for student and campus activities is not required to report. However, if such individuals receive a report of an apparent crime, they should voluntarily notify the campus police. An individual who *does* have significant responsibility for student and campus activities and would otherwise be considered a campus security authority must not be included in this category if he or she qualifies for the counselor exclusion, as explained below.

The campus official responsible for overall Clery Act compliance must keep documentation that explains each exclusion of professional counselors and pastoral counselors according to the criteria below.

Counselors

The new definition of “campus security authority” excludes campus officials when they are “acting as a pastoral or professional counselor.”[11] These counselors are defined by section 668.46(a) of the regulations as follows:

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Department of Education Guidance Regarding Counselors

The confusion regarding the statistical reporting obligations of counselors was somewhat clarified in the 1999 amendments to the regulations. The new regulations now describe the entities from whom statistical crime information must be collected in a manner consistent with the statute. Like the statute, the regulations now provide that the annual report must reflect statistics for crimes reported "to local police agencies or to a campus security authority." [10]

The Department of Education's explanation accompanying the 1999 amendments to the regulations provides further guidance in interpreting these definitions. With regard to the definition of "professional counselor," the Department changed the definition to refer to "mental health counseling" instead of "psychological counseling." In making this change, the Department noted with approval comments that this change would include within the definition "a professional counselor other than a psychologist or psychiatrist [whose job description] might refer to *mental health counseling or crisis counseling*, but would be unlikely to refer to psychological counseling." The Department emphasized that the reference to "mental health" counseling should not be interpreted to expand the definition to include non-professional or informal counselors. [12]

Also, the preamble to the new regulations clarified that persons who provide counseling services that fall outside the definition of "pastoral counselor," or "professional counselor," are still not considered "campus security authorities" with an obligation to disclose statistical crime information unless they are otherwise determined to have "significant responsibility for student and campus activities." As noted above, the Department explained that "a counselor in a counseling center whose only responsibility is to provide care to students [is] unlikely to have significant responsibility for student and campus activities." [13]

In responding to comments concerning the Department's decision to exclude professional and pastoral counselors from being required to report crimes discussed with them in their role as counselor, the Department noted the importance of victims' being able to obtain confidential counseling. The Department agreed with commenters who indicated that although reporting of a statistic is not likely, of itself, to identify the victim, the need to verify the occurrence of the crime and the need for additional information about the crime to avoid double-counting can lead to identification of the victim.

The Department also noted with approval comments that psychological counselors would be professionally obligated to inform the patient prior to any session that detailed information may be disclosed to other parties for statistical reporting purposes and that this disclosure would chill the willingness of victims to access professional counseling. The Department noted that its regulation is intended to strike an appropriate balance between individuals' need for counseling and the community's need for complete statistics based upon the importance of access to counseling, the availability of statistics from other sources on campus, and the provisions for confidential reporting. [14]

Professional Counselors Exempt from Reporting Requirements

The following is suggested guidance for evaluating whether someone with counseling functions is exempt from the criminal statistics reporting requirement. The guidance concerning counselors subject to privileges for communications with victims/patients is not expressly described by the Clery Act regulations, but is consistent with the intent expressed by the Department to avoid inhibiting the willingness of victims to seek confidential professional counseling and is supported by California law as specified below.

Criteria for Exemptions

Persons meeting all of the following criteria are not required to report crime statistics:

- the person's official responsibilities include providing mental health or crisis counseling to members of the campus community, *and*
- the person possesses a current license, permit, or certification for provision of mental health or crisis counseling services (see, e.g., California Psychology Licensing Law,[15] governing licenses issued by the California Board of Psychology), *or* engages in communications with patients/victims that are subject to the privileges governing "psychotherapist-patient" communications, "sexual assault victim-counselor" communications, or "domestic violence victim-counselor" communications recognized by state law;[16] *and*
- the person received crime information while functioning within the scope of his or her license, permit, or certification, or counselor privilege.

Counselors Without "Significant Responsibility for Student and Campus Activities"

Campus counselors who do not fit within the definition of "campus security authorities," as discussed above, are not required to disclose statistical crime information, regardless of whether they are "pastoral counselors" or "professional counselors."

Ombudsperson

Campuses should treat ombudspersons as Campus Security Authorities unless the campus can document that an ombudsperson

son does not have “significant responsibility for student and campus activities” or that the ombudsperson is a professional counselor as described above.

Local Collection and Confirmation of Crime Reports

The Clery Act statute and regulations do not address the manner in which campuses must collect crime information from local police agencies and campus security authorities in order to compile the crime statistics required for inclusion in the Annual Security Report. The University of California procedure for accomplishing this task is described below. In addition, there has been confusion by some campuses as to the nature and quality of the information provided in crime reports made to non-police campus security authorities required in order for such reports to be included in the statistical summary of crimes. This issue is clarified below. Note, crime reporting procedures may differ among the campuses; each campus is required to document and report its procedures in its Annual Security Report.

Canvassing of Campus Security Authorities

Those campus officials designated as a “campus security authority” (“CSA”) will be provided with guidance as to the information they should obtain and record when an incident is reported to them. The determination as to whether an incident that is reported to a CSA is a crime, and the classification of that crime, for purposes of including the report as a statistic in the Annual Security Report, is the responsibility of the campus police, not the CSA initially receiving the information.[17] The following procedures are designed to assist the campus police in their crime determination and classification responsibilities.

Collection of Information from CSAs

All campus officials designated as “campus security authorities” must be provided with written notification of their responsibilities under the Clery Act and a formal campus process established for collecting crime information from CSAs in a manner that documents the collection efforts. The collection of information must be made at least annually and preferably quarterly or more frequently. The Appendices include a form letter designed to inform designated CSAs of their responsibilities. Letters to campus security authorities, as well as their responses to requests for crime reports, should be preserved in order to document the crime reporting process.

Incident Report Forms

All campus officials identified as CSAs should be provided with copies of a "Crime Report Form" that elicits information from the reporting party that will assist the campus police in verifying that the reported incident is in fact a crime, in classifying the crime reported, and in complying with the statistical reporting obligations of Clery. A model "Crime Report Form" is attached in the Appendices. CSAs must report to the campus police all reports of crime that they receive on a regular and timely basis.

CSA Instruction

Each campus must provide training opportunities to all persons identified as "campus security authorities" regarding compliance with the Clery Act. Campus officials identified as campus security authorities must be provided annually with instructions regarding Clery Act requirements and campus procedures for implementing them. Both professional counselors and pastoral counselors should be advised of confidential reporting procedures (if any are in place on their campus) and encouraged to inform victims/clients of these procedures should they deem it appropriate.

Collection of Information from Local Police Agencies

Each campus must request relevant Clery Act statistics from local police agencies having jurisdiction over locations included in the campus' reporting obligation. See the section on Local Police Agencies above. The Appendices include a form letter designed to elicit this information.

Quality of Crime Information

The Department of Education has clarified that all allegations of crimes received by a campus security authority that the CSA determines are made in good faith, must be disclosed as a statistic in the Annual Security Report, unless law enforcement personnel, upon further investigation, conclude that the allegations reported are not substantiated by the facts or the law.[18] Not only is there no requirement that a crime report result in an arrest or a conviction, neither a formal police report nor an investigation is needed in order for a crime report to be included in these statistics.[19]

Records Retention

The campus must retain security records that document its annual security report for three years following the last year the information is included in the report. For example, an incident reported to a campus security authority in 2001 would be included in the Annual Security Report in 2002, 2003, and 2004, so records of the incident must be kept until October 2007. The records that should be retained include, but are not limited to: campus police logs and crime investigation reports; requests to and responses from local police for crime statistics; instructions and requests to campus security authorities for incident reports as well as the reports they submit; timely warning reports; and copies of campus policies and procedures, including lists of campus security authorities. As campus policies and procedures and lists are updated, copies of prior versions should be retained and the effective dates noted.

Notes

- [1] 20 U.S.C. § 1092(f)(1)(F)(i); 34 C.F.R. § 668.46(c)(1)
- [2] 34 C.F.R. § 668.46(c)(a)
- [3] 34 C.F.R. § 668.46(a)
- [4] See 59 Fed.Reg. 22315 (April 29, 1994)
- [5] 64 Fed.Reg. 59063 (November 1, 1999)
- [6] 20 U.S.C. § 1092(f)
- [7] 59 Fed.Reg. 22314 et seq.
- [8] 34 C.F.R. § 668.47(f), prior to its amendment on November 1, 1989
- [9] See 59 Fed.Reg. 22315 (April 29, 1994)
- [10] 34 C.F.R. § 668(c)
- [11] 34 C.F.R. § 668.46
- [12] 64 Fed.Reg. 59064 (November 1, 1999)
- [13] 64 Fed.Reg. 59063 (November 1, 1999)
- [14] See 64 Fed.Reg. page 59063 (November 1, 1999)
- [15] Business and Professions Code §§ 2900 et seq.
- [16] See California Evidence Code §§ 1010 et seq.; 1035 et seq.; and 1037 et seq.
- [17] 59 Fed.Reg. 22315 (April 29, 1994)
- [18] 59 Fed.Reg. 22315 (April 29, 1994)
- [19] 64 Fed.Reg. 59064 (November 1, 1999)

Geographic Locations

The Clery Act and its implementing regulations require each campus to provide a geographic breakdown of the required crime statistics[1] according to the following categories:

1. "on campus,"
2. of the crimes categorized as having occurred "on campus," a separate category must describe the number of crimes that took place "in dormitories or other residential facilities for students on campus,"
3. "non-campus building or property," and
4. "public property."

Each campus should identify by July 1 of each year the facilities to be considered campus, non-campus, and public property and provide a list for review by the UCOP Clery Conformance Advisory Committee.

Campus

Definition

"Campus" is defined by the Clery Act[2] as:

- (i) "any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls"; and
- (ii) "any building or property that is within or reasonably contiguous to the area identified in paragraph [i] of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."

Separate Campus

The Clery Act regulations indicate that an institution must comply with the Clery Act for each separate campus. [3] Other than the existing Clery definitions for geographic locations, little authority exists to guide determinations on how to categorize certain types of significant University operations that operate relatively independently of traditional campuses. The above described definition of "campus" is found in the regulations

administered by the Department of Education's Office of Postsecondary Education, Part 668, "Student Assistance General Provisions," subpart D, "Institutional and Financial Assistance Information for Students." Subpart A of Part 668 contains general rules that apply to all institutions subject to Part 668, and includes the following definition of "branch campus" that provides further guidance in this area:

"Branch Campus: A location of an institution that is geographically apart and independent of the main campus of the institution. The Secretary considers a location of an institution to be independent of the main campus if the location—

- (1) Is permanent in nature;
- (2) Offers courses in educational programs leading to a degree, certificate, or other recognized credential;
- (3) Has its own faculty and administrative or supervisory organization; and
- (4) Has its own budgetary and hiring authority."

Note: 34 C.F.R. section 668.2(a) refers to 34 C.F.R. section 600.2 definition of "branch campus."

Based upon the foregoing definitions and independent guidance provided by the Department of Education, the following location has been determined to be a branch campus required to comply independently with Clery Act requirements:

- University of California in Washington, D.C. ("UCDC") building.

Reasonably Contiguous Area

For purposes of interpreting this provision, campuses should consider all buildings and property within the boundaries of the traditional main campus to be "on campus" locations for purposes of reporting crime. More problematic is interpreting whether campus owned or controlled property near the main campus is "within the same reasonably contiguous geographic area" so as to be considered "campus" rather than "non-campus property." The primary distinction is that "public property" immediately adjacent to "campus property" is covered by the crime reporting obligation, but there is no such "public property" reporting obligation for property adjacent to "non-campus property."

Webster's Dictionary defines "contiguous" as "being in actual contact" or "touching along a boundary or at a point." "Reasonably contiguous" for purposes of this "campus" definition should

be interpreted as University controlled property that is touching or nearly touching property of the traditional main campus. Campuses have discretion to more broadly interpret the term "reasonably contiguous" if a determination is made that property thereby included in the definition of campus is commonly recognized as a part of the traditional main campus.

For example, a campus may elect to include within the "campus" definition an entire city block adjacent to campus, but not touching the campus, that is occupied predominantly with University controlled buildings. Campuses making such an election must also report on crimes occurring on "public property" immediately adjacent to such property.

Non-Campus Property

Definition

"Non-campus building or property" is defined by the regulation[5] as follows:

- (i) "any building or property owned or controlled by a student organization that is officially recognized by the institution;" or
- (ii) "any building or property owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."

Buildings or properties meeting the first definition for "non-campus building or property" are relatively self defining. However, there is a three-part test for reporting crimes for buildings or properties within the meaning of the second definition of "non-campus building or property." The location must meet all three of the following criteria:

1. the location is not a branch campus;
2. the location "is frequently used by students;" and
3. the location is used "in direct support of or in relation to, the institution's educational purposes."

Owned or Controlled by University

With regard to interpretation of the second component of this definition ("owned or controlled"), there has been little guidance from the Department of Education. In addition to buildings or property located off campus that are actually *owned* by the University, any buildings or property *leased* by the University for purposes of instruction should be considered to meet the criteria of being "owned or controlled by the University." Generally, buildings or property that are rented or leased by the University on an ongoing basis for University events or programs should be considered to be "owned or controlled" by the University.

With regard to the third component of this definition, all buildings or properties that are owned or controlled by the University located "off-campus" should be considered to meet the criteria that a location be "used in direct support of, or in relation to, the institution's educational purposes." The important issue in most cases will be assessing whether the location is "frequently used by students."

Frequently Used by Students

No guidance has been provided by the law or the Department of Education as to the meaning of this term. For purposes of interpreting the Clery Act requirements, the University interprets the phrase "frequently used by students" to mean buildings or properties owned or controlled by the University that are:

1. used by students enrolled in a campus degree program or programs eligible for student financial assistance programs under Title IV of the Higher Education Act of 1965, as amended (Title IV);
2. used by such students at least once a week during periods of class instruction and when the location is otherwise open and accessible to students, and
3. visited by more than 50 such individual students each calendar year.

Examples of Non-Campus Properties

The following examples of University affiliated locations may be subject to Clery Act crime reporting requirements if, for each such location, it is determined that the location meets all three criteria described above for "non-campus property."

Greek Organizations

Property that is owned, leased, or controlled by Greek organizations that are recognized by the campus is included within the first part of this definition.

Officially Recognized Organizations

Organizations that are officially recognized according to Universitywide and campus policies and procedures (including organizations serving students, faculty, or staff) that own or control any building or property that is not "campus" property fall within the first part of this definition.

Leased Property Off Campus

Off-campus property that is owned or leased by the University will always be considered to be "used in direct support of, or in relation to, the institution's educational purposes," within the meaning of "non-campus property." The important issue will be the assessment of whether the building or property "is frequently used by students" and additional criteria required to subject such property to the reporting obligations for "non-campus property."

Academic or student service offices located in leased space off campus would fall within the definition of a "non-campus" location. University business offices and facility support services would likely not be "frequently used by students," and, therefore, would not meet this definition.

Campus offices that are responsible for leases must, when entering into leases, review each lease under the above criteria for determining whether the leased premises should be considered "non-campus" property subject to Clery Act crime reporting. The campus official responsible for Clery Act compliance shall work with authorities responsible for facilities management to ensure that any campus facilities manuals or materials are revised to reflect this review requirement, and shall also be responsible for ensuring that all leases are appropriately reviewed under the Clery Act "non-campus" property criteria. A list of leased buildings and property that are determined by the campus to be "non-campus" property subject to Clery Act crime reporting shall be reported annually by the campus to the Clery Conformance Advisory Committee. Crimes at the listed leased properties are to be included in the campus Annual Security Report.

Field Stations

Most campuses have the responsibility of administering one or more field research sites that are part of the University of California Natural Reserve System. These reserve sites are located distant from the administering campus. All reserves determined to be "frequently used by students" would fall within the definition of a "non-campus" location.

Cooperative Extension Sites

The University of California Division of Agriculture and Natural Resources operates over 60 Cooperative Extension offices throughout the state, many of which are affiliated with an individual campus. These offices are designed to bring the University's research-based information to the public through applied research and educational outreach. Unless an office is "frequently used by students," it would not be considered a "non-campus" location for which crime statistics must be collected.[6]

University Extension Sites

Participants in continuing education programs and extension center programs would generally not be considered "students" for purposes of the "frequented by students" criteria (see above definition). However, if students in degree programs also regularly attend classes at these locations, the facilities would be "frequently used by students," and therefore should be included in the Annual Security Report. In that event, they should be reported as either "campus" or "non-campus buildings or properties," depending on their location with reference to the campus' definition of its boundaries.

Education Abroad Programs

Locations in foreign countries used by the University in furtherance of its Education Abroad Program would be subject to the reporting requirements for "non-campus building or property" if the locations are (a) "owned or controlled" by UC; (b) "used in direct support of, or in relation to, the institution's educational purposes;" (c) "frequented by students;" and (d) "not within the same reasonably contiguous geographic area of the institution." The only issue likely to be relevant is whether the facilities used by UC students when abroad would be considered to be "owned or controlled" by the University. UC conducts its Education Abroad Programs by providing coordination with foreign universities for course offerings by the foreign universities using the foreign universities' facilities. Currently UC does not own or control property abroad that is used for this program.

UCDC Sites

Properties that are owned or leased by the University as part of the UCDC program in the Washington, D.C. area should be reported as a branch campus.

National Laboratories Managed by the University

The Lawrence Berkeley, Lawrence Livermore, and Los Alamos national laboratories sometimes serve as a research resource for students affiliated with the main campuses. If a facility at a laboratory meets all three criteria described above for "non-campus property," crimes occurring at that facility should be reported by the affiliated campus.

Off-campus Medical Centers

The Davis, Irvine, and San Diego campuses each operate medical centers in conjunction with their Schools of Medicine that are located a significant distance from the main campus. (The medical centers operated by the San Francisco and Los Angeles campuses are located on campus.) Due to the substantial nature of these medical centers, although not required by the Clery Act for non-campus property, these campuses should separately identify medical center statistics in the "non-campus property" statistical category and should also report statistics occurring on "public property" adjacent to these medical centers.

Public Property

Definition

"Public property" is defined by the Clery Act regulations[7] as "all public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the campus, or immediately adjacent to and accessible from the campus."

Property Adjacent to Campus

It should be noted that the requirement for crime reporting on "public property" applies only to public property adjacent to "campus" locations, and does not apply to property adjacent to "non-campus" locations.[8]

The only issue in most cases will be determining whether public property is "immediately adjacent to and accessible from" the campus within the meaning of the definition. To date, the Department of Education has provided only one interpretive example: "The definition would not require an institution to include in its Annual Security Report statistics of crimes committed on, for example, highways that are adjacent to the campus, but which are separated from the campus by a fence or other man-made barrier." [9] The Department has indicated that it will

address questions concerning the interpretation of these terms on the Department's Information for Financial Aid Professionals (IFAP) website: <http://ifap.ed.gov>.

Map of Locations

Though not required by the Clery Act,[10] the University considers it useful information to current and prospective students and employees, to provide a map that depicts those locations designated by the campus as falling within the definitions of "campus," "non-campus buildings or property," and "public property." Each campus should develop such a map and accurately depict these various locations.

Statistical Matrix

Model formats for a statistical matrix reflecting the occurrence of reportable crimes to be used in a campus' Annual Security Report are provided in the Appendices. One model provides a matrix for describing the classification of a reportable crime, the location of the crime, and the entity to which it was reported. The second model provides a similar matrix for describing those crimes that have also been classified as hate crimes.

These model matrices provide more detail than is required by the Clery Act by describing subcategories for the crimes of burglary and sex offenses. This further detail is recommended in order to provide a more accurate summary of the type and magnitude of crime that occurs on a campus.

Campuses that administer medical centers should prepare separate matrices of statistics for the medical centers.

Campuses are encouraged to include footnotes in a statistical matrix to provide appropriate explanation, clarification, and/or qualification of statistics when needed to address special circumstances.

Notes

- [1] See 34 C.F.R. § 668.46(c)(1) and (3)
- [2] 20 U.S.C. § 1092(f)(6)(A)(i); 34 C.F.R. § 668.46(a)
- [3] 34 C.F.R. § 668.46(d)
- [4] See 34 C.F.R. § 668.2(a) [refers to 34 C.F.R. Part 600 for definition for "branch campus"]; and section 600.2 [definition of "branch campus"]
- [5] 34 C.F.R. § 668.46(a)

- [6] See 64 Fed.Reg. 43585 (August 10, 1999)
- [7] 34 C.F.R. § 668.46(a)
- [8] See 64 Fed.Reg. 59065 (November 1, 1999)
- [9] 64 Fed.Reg. 43585 (August 10, 1999)
- [10] 34 C.F.R. § 668.46(c)(8)

Campus Security Policies

The Annual Security Report must include the following information concerning policy and procedures for campus security described in the federal regulations.[1]

1. Policies for Reporting Criminal Actions and Emergencies

A statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus.[2] This statement must include the institution's policies concerning its response to these reports, including –

- a. Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes that must be reported in the crime statistics.

The Annual Security Report should include identification of campus locations, web sites, and/or the email address for subscribing to a list server, where warnings to the campus community are disseminated. An example of such a statement is provided in the Appendices. See the section on Timely Warning.

- b. Policies for preparing the annual disclosure of crime statistics.

The Annual Security Report should identify all guidelines used in preparing the reports, and the sources from which information in the report was obtained. An example of this statement is provided in the Appendices.

- c. A list of the titles of each person or organization to whom students and employees should report Clery Act crimes for the purpose of making timely warning reports and preparing the annual statistical disclosure. This list may identify unit heads who are responsible for gathering reports from all their employees rather the names and titles of each individual who reports to the unit head. This statement must also disclose whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, describe those policies and procedures. An example of this statement is provided in the Appendices.

2. Security of and Access to Campus Facilities

A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.[3] An example of this statement is provided in the Appendices.

3. Policies Concerning Law Enforcement

A statement of current policies concerning campus law enforcement that:[4]

- a. Addresses the enforcement authority of security personnel, including their relationship with State and local police agencies and whether those security personnel have the authority to arrest individuals;
- b. Encourages accurate and prompt reporting of all crimes to the campus police and other appropriate police agencies; and
- c. Describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

UC campuses should phrase these statements in terms that are understandable to the prospective audience and avoid legal terminology that would not be familiar to the general public. An example of the form these statements must take is provided in the Appendices.

4. Programs Designed to Inform About Security Practices

A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.[5] An example of this statement is provided in the Appendices. It should be noted that both the type and frequency of such programs must be described.

5. Programs to Inform About Crime Prevention

A description of programs designed to inform students and employees about the prevention of crimes.[6] An example of this statement is provided in the Appendices.

6. Policies on Off-Campus Criminal Activity by Recognized Student Organizations

A statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the campus, including student organizations with off-campus housing facilities.[7] An example of this statement is provided in the Appendices.

7. Policies on Alcoholic Beverages

A statement[8] of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws. An example of this statement is provided in the Appendices.

8. Policies on Illegal Drugs

A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws.[9] An example of this statement is provided in the Appendices.

9. Drug or Alcohol Abuse Programs

A description of any drug or alcohol-abuse education programs,[10] as required under section 120(a) through (d) of the Higher Education Act.[11] For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with section 120(a) through (d) of the Higher Education Act. An example of this statement is provided in the Appendices.

10. Campus Sexual Assault Programs

A statement of policy regarding campus programs to prevent sex offenses and assist victims of sexual assault, and procedures to follow when a sex offense occurs.[12] The statement must include –

- a. A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses;
- b. Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- c. Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that institutional personnel will assist the student in notifying these authorities, if the student requests such assistance;
- d. Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- e. Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- f. Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
 - (A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - (B) Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act.[13] For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused;

- g. Description of the sanctions the institution may impose following a final determination by an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.

An example of this statement is provided in the Appendices.

11. Location of Registered Sex Offender Information

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, provides for the tracking of convicted sex offenders enrolled as students at, or employed by, institutions of higher education.[14]

Statement Required Commencing 2003

(Annual Security Report on 2002)[15]

The Campus Sex Crimes Prevention Act amends the Clery Act by adding a new provision[16] to require institutions of higher education to include a statement, in their Annual Security Reports, advising the campus community where law enforcement agency information provided by a State pursuant to the federal Violent Crime Control Law Enforcement Act of 1994,[17] concerning registered sex offenders may be obtained. This amendment takes effect October 28, 2002, and must be included in the Annual Security Report due October 1, 2003.

Sex Offender Notice

The Campus Sex Crimes Prevention Act also amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act,[18] to require sex offenders who are already required to register in a state to provide notice "as required under state law" of each institution of higher education at which the offender is "employed, carries on a vocation, or is a student" (and each change in enrollment or employment status at that institution of higher education). The amendment requires that the state adopt procedures to ensure that the updated information is promptly made available to the appropriate jurisdictional law enforcement agency. This amendment expressly provides that there is no obligation for campus police to request this information from the state if the state does not provide the information to campus police. This amendment also takes effect on October 28, 2002.

As of June 1, 2001, California has not yet adopted a law providing procedures requiring of convicted sex offenders to provide notice of their status at institutions of higher education. Until

such a new law is implemented and the State of California identifies the appropriate law enforcement agencies that will maintain this information, the UC campuses will not be able to fully implement this new Clery Act requirement.

It should be noted that California law currently requires certain sex offenders to register with UC police. The California Penal Code^[19] requires any person required to register as a sex offender in California who "is residing, or if he or she has no residence, is located upon [any UC] campus or in any of its facilities" to register with the chief of police of that campus within five working days of taking up residence. However, the current registration requirement applies only to students residing on the campus, and does not generally extend to staff, faculty, or students living off campus. A bill is currently pending in the California legislature which would extend the registration requirement to all enrolled students and employees of an institution of higher education.

Notes

- [1] 34 C.F.R. § 668.46(b)
- [2] 34 C.F.R. § 668.46(b)(2)
- [3] 34 C.F.R. § 668.46(b)(3)
- [4] 34 C.F.R. § 668.46(b)(4)
- [5] 34 C.F.R. § 668.46(b)(5)
- [6] 34 C.F.R. § 668.46(b)(6)
- [7] 34 C.F.R. § 668.46(b)(7)
- [8] 34 C.F.R. § 668.46(b)(8)
- [9] 34 C.F.R. § 668.46(b)(9)
- [10] 34 C.F.R. § 668.46(b)(10)
- [11] See 20 U.S.C. § 1011i
- [12] 34 C.F.R. § 668.46(b)(11)
- [13] 20 U.S.C. 1232(g)
- [14] Public Law 106-386, section 1601
- [15] 34 C.F.R. § 668.46(b)(11)
- [16] 20 U.S.C. § 1092(f)(1)(I)
- [17] 42 U.S.C. § 14071(j)
- [18] 42 U.S.C. § 14071, et seq.
- [19] Penal Code § 290(a)(1)(A)

Notice and Distribution

The Department of Education regulations governing notice and distribution of the Annual Security Report to current students and employees, and prospective students and employees, are found in the various provisions, including definitions, in the federal regulations.[1]

Definition of Student

Participants in continuing education programs and extension center programs operated by individual campuses will not generally meet the definition of "enrolled students" for purposes of distribution of the Annual Security Report.

Enrolled Students and Current Employees

The campus must distribute its Annual Security Report by October 1 of each year to all enrolled students and current employees.[2] The campus may do this by: (i) direct mailing to each individual through the U.S. Postal Service, campus mail, or electronic mail; (ii) directly providing a publication to each individual; or (iii) posting on an Internet or Intranet website with direct distribution of notice of the report's availability. It is recommended that the campuses comply with this distribution requirement by posting the Annual Security Report on a website and providing appropriate notice. These guidelines focus on this method.

Annual Notice to Enrolled Students

Each campus is required to annually distribute to all enrolled students a notice of the availability of the following information, which includes but is not limited to the Annual Security Report. The notice must list and briefly describe the information and tell the student how to obtain the information.[3]

Types of Information

The annual notice must indicate the availability of the following types of information:

1. General Information[4]

- Financial assistance information[5]
- Information about the campus[6]
- Information on student graduation and transfer-out rates[7]

2. Annual Security Report[8]

3. Athletic Program Participation Rates and Financial Support Data[9]

4. Rights of students and parents concerning a student's educational records under the Family Educational Rights and Privacy Act.[10]

Notice Required When Information Provided on the Web

If the information described above is made available by posting on an Internet website or an Intranet website, notice must be provided directly to the enrolled student that includes the exact electronic address at which the information is posted, a brief description of the information, and a statement that the campus will provide a paper copy of the information on request. An example of this notice is provided in the Appendices.

The content of the notice should be sufficient to allow the student to understand the nature of the information and to make informed decisions about whether to request the information. 64 Fed.Reg. 59061 (November 1, 1999). The Department of Education has provided the following example for the description of the Annual Security Report portion of the notice that would meet these notice requirements:[11]

"A copy of [campus name] Annual Security Report. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by [name of institution]; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies on drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting [name of office] or by accessing the following website [address of website]."

Distribution of Notice

The Clery Act regulations indicate that required notices must be "provided to an individual on a one-to-one basis through an appropriate mailing or publication, including direct mailing through the U.S. Postal Service, campus mail, or electronic mail." Website posting does not constitute adequate notice.[12] The Department of Education has further advised that the notification must be distributed through means that "ensure that each person who is entitled to the notification receives it." [13]. The Department does not proscribe any particular method, so long as the method provides "individualized notice."

The notice can be provided by electronic mail, campus mail, U.S. Postal Service, or by inclusion in a publication, so long as the campus can demonstrate that the notice was provided directly to each student. If electronic mail or inclusion in a publication would not assure that the notice will be provided directly to each student, the notice should be sent by mail to each student.

Annual Notice to Current Employees

Type of Information

By October 1 of each year, the campus must distribute a copy of its Annual Security Report to all current employees through appropriate publications and mailings, which may include posting on a website, as discussed below. There is no requirement for current employees to receive other information that is required to be disclosed to students.

Notice Required When Information Provided on the Web

Campuses are encouraged to distribute the Annual Security Report to employees by posting it on a website rather than providing it by mail or other publications that are provided directly to each employee. If the Annual Security Report is made available by posting it on a website, a campus must, by October 1 of each year, distribute to all current employees a notice that includes a statement of the report's availability, the exact electronic address at which the report is posted, a brief description of the report's contents, and a statement that the campus will provide a paper copy of the report on request.[14] A sample notice to be used for notifying current employees is provided in the Appendices.

Distribution of Notice

See Distribution of Notice above in connection with notice to enrolled students.

The notice can be provided by electronic mail, campus mail, U.S. Postal Service, or by inclusion in a publication, so long as the campus can demonstrate that the notice was provided directly to each employee. If electronic mail or inclusion in a publication would not assure that the notice will be provided directly to each employee, the notice should be sent by mail to the employee.

If the notice will be provided by direct mail to employees, it is recommended that the notice be included in a mailing that all current employees receive, such as a payroll distribution notice or W-2 statement.

Prospective Students and Employees

Each campus must also provide a notice to prospective students and prospective employees that includes a statement of the availability of the Annual Security Report, a description of its contents, and an opportunity to request a copy. Upon request, the campus must provide a copy of the Annual Security Report to a prospective student or prospective employee.[15]

Notice to Prospective Students

Each campus is required to provide prospective students with appropriate notice of the availability of the Annual Security Report, athletic program participation rates, and financial support data. In addition, each campus is required to make available, upon request, other specified information. To assure that prospective students are aware of this additional information that is available on request, campuses should include this information in the formal notice to such students. An example of such a notice is provided in the Appendices.

Types of Information

The notice *must* indicate the availability of the following information:

1. Annual Security Report[8]
2. Athletic Program Participation Rates and Financial Support Data[9]

general information:

- Financial assistance information[5]
- Information about the campus[6]
- Information on student graduation and transfer-out rates[7]

Notice to Prospective Employees

Each campus is required to provide prospective employees notice only of the availability of the Annual Security Report. An example of such as notice is provided in the Appendices.

Notice Required When Information Provided on the Web

If the campus provides this Notice on an Internet or Intranet website, it must include the exact electronic address at which the Annual Security Report is posted, a brief description of the report, and a statement that the University will provide a paper copy of the report on request.[15]

Distribution of the Notice

See the Distribution of Notice discussion above in connection with notice to enrolled students.

The notice can be provided by electronic mail, campus mail, U.S. Postal Service, or by inclusion in a publication, so long as the campus can demonstrate that the notice was provided directly to each prospective student and employee. If electronic mail or inclusion in a publication would not assure that the notice will be provided directly to each prospective student and employee, the notice should be sent by mail to each such person.

Distribution to Prospective Students

Prospective Undergraduate Students

The required notice has been included in the undergraduate student application forms which will include a reference to each campus where a copy of each campus' Annual Security Report can be obtained by request or by accessing a described website address.

Prospective Graduate Students

Each campus should ensure that applications (or other application materials provided to prospective students who request information about admission) to graduate and professional school programs include the notice described above.

Distribution to Prospective Employees

Staff and Administrative Positions

Each campus should ensure that employment applications, or other information provided to individuals who request information concerning campus employment, include the notice described above.

Faculty and Other Academic Positions

Each campus must ensure that each prospective faculty member or academic appointee who contacts the campus for the purpose of requesting information concerning employment with the campus receives the notice described above. As these academic appointees typically do not complete an employment application, it is recommended that the notice be provided on a card that is included with other information that is forwarded to individuals who have made such employment requests.

Report to Department of Education

Each campus must submit its Annual Security Report to the UCOP Clery Conformance Advisory Committee by October 1. The Committee will review the report for compliance and accuracy prior to its transmission to the Department of Education. After approval, each campus must submit its own report online through the account issued to it by the Department of Education by October 15.

Notes

- [1] 34 C.F.R. § 668.41
- [2] 34 C.F.R. § 668.41(e)
- [3] 34 C.F.R. § 668.41(c)
- [4] (34 C.F.R. § 668.41(d))
- [5] See 34 C.F.R. § 688.42
- [6] See 34 C.F.R. § 668.43
- [7] 34 C.F.R. § 668.45)
- [8] 34 C.F.R. § 668.41(e)
- [9] 34 C.F.R. § 668.41(g)
- [10] 34 C.F.R. § 99.7
- [11] 64 Fed.Reg. 43583 (August 10, 1999)
- [12] 34 C.F.R. § 668.41(a)
- [13] 64 Fed.Reg. 59061 (November 1, 1999)
- [14] 34 C.F.R. § 668.41(e)(3)
- [15] 34 C.F.R. § 668.41(e)(4)

Ongoing Requirements

Timely Warning

The Clery Act[1] and the Clery Act Regulations[2] require that each campus provide a “timely warning” to the campus community concerning the occurrence of a Clery crime that the campus believes represents a continuing threat to the campus community.

Legal Requirements

The Clery Act regulations[3] require the following:

1. A campus must, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are –
 - Required to be reported in the Annual Security Report;
 - Reported to campus security authorities as identified under the institution’s statement of current campus policies for reporting criminal actions and emergencies; and
 - Considered by the campus to represent a threat to students and employees.
2. A campus is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

Definition of “Timely Reports”

To date, the Department of Education has declined to provide a definition of “timely reports.” The Department has advised that “timely reporting to the campus community . . . must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.” Campus security authorities who receive reports of crimes are directed to consult with campus police for guidance on how and when to release “timely warning” reports to the campus community.[4]

Confidentiality Issues

All Clery reportable crimes are subject to the timely warning requirements if deemed appropriate by the campus, regardless of whether or not the victim or perpetrator is a member of the campus community. However, there are often concerns raised regarding confidentiality if the information disclosed in the timely warning report would personally identify an individual.

With regard to information that would personally identify students, this information may be disclosed, if it is determined that disclosure of this information is necessary to protect the health and safety of the student or other individuals.

For example, see the Family Educational Rights and Privacy Act ("FERPA")^[5] and the FERPA regulations^[6] : personally identifiable information may be disclosed from an education record of a student without the student's consent "to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of a student or other individuals";

See also, California Information Practices Act^[7]: the University may disclose personally identifying information about an individual if it determines "that compelling circumstances exist which affect the health or safety of an individual."

The same California Information Practices Act standard applies concerning the disclosure of personally identifying information about any other individuals, including campus employees and individuals not associated with the University.^[8]

Timely Warning Procedure

The amount and type of information that the campus discloses in a "timely warning" report will vary depending on the circumstances of each case, as noted above in the Department of Education explanation of this provision. In general, whenever a report of a violent crime against a person or a major crime against property on campus is received by the campus police department that is determined by the police department to represent an ongoing threat to the safety of the campus community, the campus police department must issue a Campus Crime Alert. The alerts should be sequentially numbered, beginning January 1 of each year, and should include the following details of the crime, if available:

- A succinct description of the incident.
- A physical description of the suspect, including gender and race.
- Composite drawing of the suspect, if available.
- Apparent connection to previous incidents, if applicable.
- Race of the victim, but only if there was an apparent bias motive.
- Sex of the victim, if relevant.
- Injury sustained by the victim.
- Date and time the campus crime alert was released.

An example of a Campus Crime Alert is provided in the Appendices.

Campus Crime Alerts should be distributed as soon as possible after the time the incident is reported, subject to the availability of accurate facts concerning the incidents. The alerts should be widely distributed throughout campus, provided to campus media, posted on a relevant campus website or websites, electronically mailed to members of the campus community determined to have a need to know of the alert, and posted in appropriate areas.

For all reports of violent crimes against a person or major crimes against property on campus that are received by the campus police department, the campus police department should complete a Crime Alert Publication Determination Form that explains the decision on whether or not to distribute a Campus Crime Alert. An example of such a form is provided in the Appendices.

Notes

- [1] 20 U.S.C. § 1092(f)(3)
- [2] 34 C.F.R. § 668.46(e)
- [3] 34 C.F.R. § 668.46(e)
- [4] See 59 Fed.Reg. 22316 (April 29, 1994)
- [5] 20 U.S.C. § 1232g(b)(1)(I)
- [6] 34 C.F.R. §§ 99.31(a)(10) and 99.36
- [7] Civil Code § 1798.24(i)
- [8] See Civil Code § 1798.24

Crime Logs

The 1998 amendments to the Clery Act introduced the requirement, effective October 1, 1998, that campus police departments maintain a daily written crime log of any crime (not just those required to be included in the Annual Security Report) that is reported to the campus police department.

Requirements

The Clery Act regulations^[1] require as follows:

Scope

A campus that maintains a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department. This log must include –

- The nature, date, time, and general location of each crime; and
- The disposition of the complaint, if known.

Data Entry

The campus must make an entry or an addition to an entry to the log within two business days of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

Disclosure Exceptions

The campus may withhold the information required above if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence.

The campus must disclose any information withheld for these reasons once the adverse effect is no longer likely to occur.

Basis for Non-Disclosure

An institution may withhold the information described in paragraphs (2) and (3) above only if the information would cause the adverse effects described in those paragraphs.

Public Inspection

The campus must make the crime log for the most recent 60-day period available for public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection.

Department of Education Explanation

The Department has declined to define the following terms used to describe the contents of "crime log" entry: "the nature, date, time, and general location of each crime." [2]

The Department responded to a comment regarding protecting the confidentiality of a victim by noting that a campus "may only withhold this information when it is sufficiently clear the victim's confidentiality is in jeopardy." [3] The Department's guidance on this issue should be read in the context of the comment to which it responds. It is clear from the guideline promulgated by the Department that the campus may withhold from disclosure not only information that would jeopardize the confidentiality of the victim, but also information that would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

Related State Law

California Education Code § 67380, part of the Donahoe Higher Education Act [4], requires campus officials to "compile records" of:

- (1) all occurrences reported to campus safety or security authorities of campus crimes that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication; and

- (2) all occurrences of non-criminal acts of hate violence reported to, and for which a written report is prepared by, designated campus authorities.[5]

This code section provides for disclosure of this information available to current students and campus employees, prospective students, and the media.

The Donahoe Act provides that none of its provisions apply to the University of California unless the Regents, "by appropriate resolution," make a provision applicable to the University. The Regents have taken no such action and, therefore, this crime record compilation and disclosure requirement does not technically apply to the University of California campuses. However, the University generally complies voluntarily with these provisions, because compliance with the Clery Act Annual Security Report requirements would meet essentially all the requirements of this state law.

Each campus should, by July 1, 2001, submit to the Clery Advisory Committee for review and approval the proposed format of its crime log. The Appendices provide an example of an acceptable crime log.

Notes

- [1] 34 C.F.R. § 668.46(f)
- [2] 64 Fed.Reg. 59065 (November 1, 1999)
- [3] 64 Fed.Reg. 59065 (November 1, 1999)
- [4] Education Code §§ 66000 et seq.
- [5] Education Code § 67380(a)

Appendices

Appendix A - Legal Standards

The materials in this section include definitions and procedures that must be used in order to meet the requirements of the Clery Act.

Definitions

These definitions are taken from: (1) Appendix E to the Clery Act regulations, which, except for sex offenses, reflect definitions of the Uniform Crime Report (UCR) prepared by the Federal Bureau of Investigation (FBI); (2) Sex offenses are defined using the UCR-National Incident Base Reporting System (UCR-NIBRS); (3) Hate Crime definitions are taken from the FBI's UCR Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Bias: A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, or ethnicity/national origin.

Bias Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime. **Note:** Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Bisexual: (adjective) Of or relating to persons who experience sexual attraction toward and responsiveness to both males and females; (noun) a bisexual person

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Business Day: Monday through Friday, excluding any day when the institution is closed.

Campus:

- (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Campus Security Authority:

- (i) A campus police department or a campus security department of an institution.
- (ii) Any individual or individuals who have responsibility for campus security but who do not constitute

a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.

(iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

(iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Criminal Homicide—Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

Disability Bias: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

Disabled: (adjective) Of or relating to persons who have physical or mental impairments/challenges, whether temporary or permanent, due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness; (noun) a disabled person.

Disciplinary Referrals – Incidents in which the person was not arrested, but instead was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Drug Law Violations: Violations of State and local laws relating to the unlawful possession of, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

Ethnicity/National Origin Bias: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions, e.g., Arabs, Hispanics.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Gay: (adjective) Of or relating to males who experience a sexual attraction toward and responsiveness to

other males; (noun) a homosexual male.

Hate Crime: Bias Crime.

Hate Group: An organization whose primary purpose is to promote animosity, hostility, and malice against persons belonging to a race, religion, disability, sexual orientation, or ethnicity/national origin which differs from that of the members of the organization, e.g., the Ku Klux Klan, American Nazi Party.

Heterosexual: (adjective) Of or relating to persons who experience a sexual attraction toward and responsiveness to members of the opposite sex; (noun) a heterosexual person.

Homosexual: (adjective) Of or relating to persons who experience a sexual attraction toward and responsiveness to members of their own sex; (noun) a homosexual person.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

Lesbian: (adjective) Of or relating to females who experience a sexual attraction toward and responsiveness to other females; (noun) a homosexual female.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and Driving under the influence are not included in this definition.)

Motor Vehicle Theft: The theft of attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)

Murder: see Nonnegligent Manslaughter

Negligent Manslaughter: The killing of another person through gross negligence.

Non-campus Building Or Property:

- (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- (ii) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or

certification.

Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Racial Bias: A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features; etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, whites.

Referred for Campus Disciplinary Action: The referral of any student to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Religious Bias: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offenses-Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Sex Offenses-Nonforcible: Unlawful, nonforcible sexual intercourse.

Sexual Assault With An Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual-Orientation Bias: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex, e.g., gays, lesbians, heterosexuals.

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to

State Law Correlation Table

Until the state law correlation table is completed, questions concerning crime conversion may be directed to Jennifer Beeman, Manager of the UC Davis Campus Violence Prevention Program. She can be contacted by email (sjmbeeman@ucdavis.edu) or telephone (530)752-3759.

Part I and Part II Crimes

Please see the next 13 pages from the FBI *Uniform Crime Reporting Handbook*.

UNIFORM CRIME REPORTING HANDBOOK

Director, Federal Bureau of Investigation

Washington, D.C.

1984

During the more than 50 years since its inception in 1930, the Uniform Crime Reporting (UCR) Program has strived to depict the crime problem in America. Expanding in scope, importance, and size over the years, the Program now encompasses nearly 16,000 law enforcement agencies nationwide who voluntarily contribute their crime statistics. Without their support, the Program could not fulfill its mission. To ensure the production of a reliable set of crime statistics and the best reporting possible, the UCR staff developed this handbook to assist participating agencies in the understanding and completion of monthly and annual reporting forms. It is of the utmost importance that administrators, as well as those persons bearing responsibility for preparing the reports, have a thorough understanding of this handbook. Additional copies are available upon request.

Inquiries concerning Uniform Crime Reporting may be addressed to:
Uniform Crime Reports
Federal Bureau of Investigation
Washington, D.C. 20535

CHAPTER II

CLASSIFYING AND SCORING PROCEDURES

Classifying is determining the proper crime categories in which to report offenses in UCR. Classification is based on the facts of an agency's investigations of crimes.

Scoring is counting the number of offenses after they have been classified and entering the total count on the appropriate reporting form.

Classifying and scoring are the two most important and essential functions that must be performed by a participant in the Uniform Crime Reporting Program. The data provided are based on these two functions and are only as good as agencies' efforts to follow the guidelines of the Program.

Classifying

Generally, attempts to commit a crime are classified as though the crimes were actually completed. The only exception to this rule applies to attempts or assaults to murder wherein the victim does not die. These incidents should be classified as aggravated assaults rather than murders.

In a previous section of this handbook, the UCR Part I offenses have been precisely defined. The exceptions to the definitions also have been discussed and must be considered when classifying criminal acts to guarantee the accuracy and consistency of reports from all agencies in the Nation.

Hierarchy Rule

The experience of law enforcement agencies in handling UCR data shows that for the most part offenses of law occur singly as opposed to many being committed simultaneously. In these single-offense situations, it must be decided whether the crime is one of the Index offenses, and if so, it would be scored accordingly. However, if several offenses are committed at the same time by a person or a group of persons, a different approach must be used in classifying and scoring. The law enforcement matter in which many crimes are committed simultaneously is called a multiple-offense situation in this Program. As a general rule, a multiple-offense situation requires classifying each of the offenses occurring and determining which of them are Part I crimes. The Part I offenses involved must then be located in the listing which follows:

1. Criminal homicide:
 - a. Murder and nonnegligent manslaughter
 - b. Manslaughter by negligence

2. Forcible rape:
 - a. Rape by force
 - b. Attempts to commit forcible rape
3. Robbery:
 - a. Firearm
 - b. Knife or cutting instrument
 - c. Other dangerous weapon
 - d. Strong-arm—hands, fists, feet, etc.
4. Aggravated assault:
 - a. Firearm
 - b. Knife or cutting instrument
 - c. Other dangerous weapon
 - d. Hands, fists, feet, etc.—aggravated injury
5. Burglary:
 - a. Forcible entry
 - b. Unlawful entry—no force
 - c. Attempted forcible entry
6. Larceny-theft (except motor vehicle theft)
7. Motor vehicle theft:
 - a. Autos
 - b. Trucks and buses
 - c. Other vehicles
8. Arson:
 - a.-g. Structural
 - h.-i. Mobile
 - j. Other

Locate the offense that is highest on the list, score that offense, and ignore the other offenses involved in the incident. The *Hierarchy Rule*, which requires counting only the highest offense on the list and ignoring all others, applies *only* to crime reporting and does not affect the number of charges for which the defendant may be prosecuted in the courts. An exception to the rule is arson, which is discussed later in this chapter.

Example:

Incident: During the commission of an armed bank robbery, the offender strikes a teller with a butt of a handgun. The robber runs from the bank and steals an automobile at curb side.

Classification of this incident: Robbery, aggravated assault, and motor vehicle theft are three Part I offenses apparent in this situation. Each of these offenses should be located on the listing, and by doing so, it is seen that robbery is the crime highest on the list. Therefore, this incident will be classified as robbery, one offense scored accordingly, and all of the other offenses ignored.

On occasion a number of offenses will be perpetrated by an individual or group over a short period of time. If there is a separation of time and place between the commission of several crimes, each will be handled as a separate incident and will be classified and scored individually.

Example:

Incidents: A robber enters a bank, steals \$5,000 at gunpoint, and then escapes in a getaway car. At a shopping center parking lot across town, the robber and an accomplice steal a car in their effort to elude police.

Classification of these incidents: Due to the separation of time and place between the robbery and the theft of the motor vehicle, these incidents would not be handled as a multiple-offense situation. The two crimes would each be scored as separate offenses.

Exception:

The Hierarchy Rule does not apply to the offense

of arson. In cases when an arson occurs in conjunction with one other Index crime, both would be reported. For multiple offenses, one of which is arson, the arson is reported and the Hierarchy Rule is applied to the remaining Index crimes to determine which one is the most serious and should be scored. Put more simply, when an arson is involved in a multiple-offense situation, two Crime Index categories may be reported.

Example:

Incident: As a result of arson in an apartment building, six persons were found dead.

Classification of this incident: The Part I crimes of murder and arson are involved in this incident. Six murder offenses (one for each victim) would be reported on the Return A, and one arson would be scored on the monthly arson report.

The next ten problems further illustrate the classification of situations that may occur.

1. **Problem:** A man steals an automobile to use as a getaway car in a planned bank robbery. Two days later he commits an armed robbery at a bank and uses the stolen vehicle to escape the scene. He later abandons the car.

Solution: In this instance, two crimes have been committed at different times; in other words, they are two distinct operations with a separation of time and place. Classify and score separately *both* the robbery and the motor vehicle theft.

1 CLASSIFICATION OF OFFENSES	2 Date Entry	3 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	4 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	5 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	6 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 5)	7 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
3. ROBBERY TOTAL	26	1		1		
a. Firearm	27	1		1		
b. Knife or Cutting Instrument	28					
c. Other Dangerous Weapon	29					
d. Strong Arm (Hands, Fists, Feet, Etc.)	30					
7. MOTOR VEHICLE THEFT TOTAL	70	1		1		
a. Autos	71	1		1		
b. Trucks and Buses	72					
c. Other Vehicles	73					

2. **Problem:** A burglar breaks into a home, steals several items, and places them in a car belonging to owner of the home. Returning and surprising the thief, the homeowner is knocked unconscious. The burglar drives away in the homeowner's car.

Solution: A forcible entry burglary, theft, robbery, aggravated assault, and motor vehicle theft (auto) have occurred in this situation. After classification, score only one crime—robbery—the crime appearing first in the list of Part I offenses, since there is no separation between time and place in the commission of the crimes.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
3 ROBBERY TOTAL	30	1	1		
a Firearm	27				
b Knife or Cutting Instrument	28				
c Other Dangerous Weapon	29				
d Strong Arm (Hands, Fists, Feet, Etc.)	30	1	1		

3. **Problem:** Two women break into a new car dealership after closing hours. They take the cash from the dealership office safe and two new automobiles from the garage.

Solution: A forcible entry burglary, theft, and auto theft have been committed. Following the Hierarchy Rule, only the forcible entry burglary is scored, the first on the list of Part I offenses.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
5 BURGLARY TOTAL	50	1	1		
a Forcible Entry	51		1		
b Unlawful Entry - No Force	52				
c Attempted Forcible Entry	53				

4. **Problem:** A pickup truck with camper containing camping equipment is stolen. The truck and camper are recovered but the equipment is missing.

Solution: Motor vehicle theft is a special type of larceny-theft. It is a separate classification because of the volume of such thefts and the prevailing law enforcement need for specific statistics on this offense. Therefore, when in classifying it is necessary to choose between larceny-theft and motor vehicle theft, such as in this problem, classify and score the offense as motor vehicle theft.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
7. MOTOR VEHICLE THEFT TOTAL	70	1	1		
a Autos	71				
b Trucks and Buses	72		1		
c Other Vehicles	73				

5. **Problem:** Police arrive at a holdup while the robbery is in progress. A gun battle ensues with the two robbers; one of the robbers is killed and the other is captured.

Solution: In this situation, the general rule for classification does not apply. The activity of the robbers is appropriately classified as robbery. The killing of the robber by the law enforcement officer in the line of duty is classified as justifiable homicide. Both offenses are scored; however, while the justifiable homicide is entered opposite the criminal homicide (1.a.) category in column 2 of the Return A, it is also unfounded in column 3. Therefore, the killing of the robber has been accounted for as murder but also reported as unfounded.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
1. CRIMINAL HOMICIDE: a. MURDER AND NONNEGLIGENT HOMICIDE (score at-tempts as aggravated assault) if homicide reported, submit Supplementary Homicide Report	11				
1. MANSLAUGHTER BY NEGLIGENCE	12				
3. ROBBERY TOTAL	30				
a. Firearm	27				
b. Knife or Cutting Instrument	28				
c. Other Dangerous Weapon	29				
d. Strong Arm (Hands, Fists, Feet, Etc.)	30				

6. **Problem:** During the holdup of a neighborhood bar, armed robbers not only take the cash from behind the bar but also take cash and jewelry from the patrons present.

Solution: The incident is one distinct operation. Classify and score as one offense of robbery. For crimes against property, the number of people robbed has no bearing on the distinct operation.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
3. ROBBERY TOTAL	30				
a. Firearm	27				
b. Knife or Cutting Instrument	28				
c. Other Dangerous Weapon	29				
d. Strong Arm (Hands, Fists, Feet, Etc.)	30				

7. **Problem:** A man and a woman are parked at a secluded location. A gunman surprises them, shoots and kills the man when he resists, and then rapes the woman. He is arrested at the scene by police.

Solution: Although this problem is an example of two separate crimes against the person—murder and forcible rape—the Hierarchy Rule requires scoring only the murder. Note there is no separation of time and place between the two crimes.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
1. CRIMINAL HOMICIDE: a. MURDER AND NONNEGLIGENT HOMICIDE (score at-tempts as aggravated assault) if homicide reported, submit Supplementary Homicide Report	11				

8. **Problem:** A known purse snatcher, caught in the act, is subsequently identified by four women as having snatched their purses at different times. All state they were knocked down when their purses were stolen. The thief admits to all five robberies.

Solution: This problem illustrates five separate and distinct operations by the same offender. Score five robbery offenses and five clearances.

1 CLASSIFICATION OF OFFENSES	2 Date OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
3. ROBBERY TOTAL	50		5	5	
a. Firearm	51				
b. Knife or Cutting Instrument	52				
c. Other Dangerous Weapon	53				
d. Strong Arm (Hands, Fists, Feet, Etc.)	54	5	5	5	

9. **Problem:** A group of teenagers steal an automobile, strip it of all removable parts, and then set it on fire, causing \$5,000 damage.

Solution: The crimes of motor vehicle theft, larceny-theft, and arson are involved in this incident. As was seen in classification problem 4, motor vehicle theft takes precedence over larceny-theft. Therefore, the two offenses to be considered in this case are motor vehicle theft and arson. Because of the arson exception to the Hierarchy Rule, both should be scored—the arson on the monthly arson report and the motor vehicle theft on the Return A.

1 CLASSIFICATION OF OFFENSES	2 Date OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
7. MOTOR VEHICLE THEFT TOTAL	70		1		
a. Autos	71		1		
b. Trucks and Buses	72				
c. Other Vehicles	73				

1 PROPERTY CLASSIFICATION	2 Offenses Reported or Known to Police (Include Unfounded and Attempts)	3 Unfounded, I.E., False or Baseless Complaints	4 Number of Actual Offenses (Column 2 Minus Column 3) (Include Attempts)	5 Total Offenses Cleared by Arrest or Exceptional Means (Include Column 6)	6 Number of Clearances Involving Only Persons Under 18 Years of Age	7 Offenses Where Structure Uninhabited, Abandoned, or not Normally in Use	8 Estimated Value of Property Damage
MOBILE 8. Motor Vehicle: Automobiles, Trucks, Buses, Motorcycles, etc.: UCR Definition			1				5,000.
9. Other Movable Property: Tricycles, Recreational Vehicles, Airplanes, Boats, etc.							
TOTAL MOBILE							

10. **Problem:** A resident of an apartment discovers her building on fire as a result of arson. She enters the building to recover some of her property. The building (valued at \$135,000) collapses, killing the occupant.

Solution: In this case, for UCR purposes, the death of the occupant should *not* be reported as murder because she voluntarily entered the building. One offense of arson should be scored on the arson report.

1 PROPERTY CLASSIFICATION	2 Offenses Reported or Known to Police (Include Unfounded and Attempts)	3 Unfounded, I.E. False or Baseless Complaints	4 Number of Actual Offenses (Column 3 Minus Column 3 Includes Attempts)	5 Total Offenses Cleared by Arrest or Exceptional Means (Include Column 4)	6 Number of Clearances Involving Only Persons Under 18 Years of Age	7 Offenses Where Structures Uninhabited, Abandoned, or Not Regularly in Use	8 Estimated Value of Property Damage
A. Single Occupancy Residential: Bases, Townhouses, Duplexes, etc.							
B. Other Residential: Apartments, Townhouses, Flats, Hotels, Motels, Inns, Boarding Houses, etc.							135,000.

Scoring

Scoring is counting the number of offenses after they have been classified. The two general rules for scoring Part I crimes are directly related to the two types of crimes involved, crimes against persons and crimes against property.

As stated previously, for incidents of criminal homicide, forcible rape, and aggravated assault (all crimes against persons) one offense is scored for each victim.

Aggravated assault is a troublesome crime to score. If a number of persons are involved in a dispute or disturbance and law enforcement investigation cannot establish the aggressors from the victims, count the number of persons assaulted as the number of offenses.

For crimes against property (robbery, burglary, larceny-theft, motor vehicle theft, and arson) count one offense for each distinct operation or attempt.

In larceny-theft situations, whether a single article or several articles are stolen from one place on the same occasion, only one distinct operation has occurred and one offense is scored. The number of offenses reported would be "one" even if several items belonging to different people were stolen at the same time from one place.

However, to score thefts of motor vehicles, count one offense for each vehicle stolen and one offense for each attempt to steal a motor vehicle. The theft of a vehicle should be scored as such even though recovery occurs very soon after the theft.

1. **Problem:** Two females are arrested for the murder of an associate.

Solution: Involved here are one victim and two arrests. The number of persons arrested or charged has no bearing on the problem of scoring offenses.

1 CLASSIFICATION OF OFFENSES	2 Offenses Reported or Known to Police (Include "Unfounded" and Attempts)	3 Unfounded, I.E. False or Baseless Complaints	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 4)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
1. CRIMINAL HOMICIDE: a. MURDER AND NONNEGLIGENT HOMICIDE (score attempts as aggravated assault) if homicide reported, submit Supplementary Homicide Report	2				
b. MANSLAUGHTER BY NEGLIGENCE					

2. **Problem:** An adult murders three individuals before being apprehended.

Solution: There are three victims and three separate offenses. Also count three offenses cleared.

1 CLASSIFICATION OF OFFENSES	2 Offenses Reported or Known to Police (Include "Unfounded" and Attempts)	3 Unfounded, I.E. False or Baseless Complaints	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 4)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
1. CRIMINAL HOMICIDE: a. MURDER AND NONNEGLIGENT HOMICIDE (score attempts as aggravated assault) if homicide reported, submit Supplementary Homicide Report	3		3	3	
b. MANSLAUGHTER BY NEGLIGENCE					

3. **Problem:** Two men forcibly rape a female at gunpoint and are arrested.

Solution: Score as one forcible rape because there is only one victim. Score one clearance.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
2. FORCIBLE RAPE TOTAL	1		1	1	
a. Rape by Force	1		1	1	
b. Attempts to commit Forcible Rape					

4. **Problem:** During a confrontation between two groups of persons, a fight occurs during which time several of the participants are injured. None of the combatants are cooperative, and all claim innocence. It is vague as to who is responsible for the assault. The police arrest eight persons, five of whom are severely beaten and in need of emergency medical treatment.

Solution: Even though all the victims are not known, it is known that five persons are severely beaten. Count five offenses of aggravated assault, 4.d., cleared. Also count three offenses in 4.e., other assaults—simple, not aggravated, cleared.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
4. ASSAULT TOTAL	8		8	8	
a. Firearm					
b. Knife or Cutting Instrument					
c. Other Dangerous Weapon					
d. Hands, Fists, Feet, Etc. - Aggravated Injury	5		5	5	
e. Other Assaults—Simple, Not Aggravated	3		3	3	

5. **Problem:** A person with a gun entered a tavern and ordered the bartender and 10 patrons to hand over their cash and jewelry.

Solution: For UCR purposes, robbery is a crime against property. Therefore, classify and score as one distinct operation even though 11 victims were involved.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E., FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
3. ROBBERY TOTAL	1		1	1	
a. Firearm	1		1	1	
b. Knife or Cutting Instrument					
c. Other Dangerous Weapon					
d. Strong-Arm (Hands, Fists, Feet, Etc.)					

6. **Problem:** Three people broke into an auto agency and stole \$1,000 in cash and a new car. All were arrested the following day.

Solution: Two Crime Index offenses have been committed at the same time and place. In compliance with the Hierarchy Rule, only the burglary offense should be scored and one clearance recorded.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
5. BURGLARY TOTAL	80				
a. Forcible Entry	81				
b. Unlawful Entry - No Force	82				
c. Attempted Forcible Entry	83				

7. **Problem:** Police investigation determined that 10 parking meters in the 1700 block of Clay Street were broken into between midnight and 7 a.m. of the same day.

Solution: Under the special scoring provisions in larceny-theft situations where several thefts happen at the same time and place, only one distinct operation has occurred; therefore, score one offense.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
6. LARCENY-THEFT TOTAL (Except Motor Vehicle Theft)					

8. **Problem:** Two thieves are arrested while attempting to steal two cars from a used-car lot.

Solution: Because of the unique nature of motor vehicle theft to the UCR Program, score two offenses (one for the attempted theft of *each* motor vehicle) and two clearances.

1 CLASSIFICATION OF OFFENSES	2 OFFENSES REPORTED OR KNOWN TO POLICE (INCLUDE "UNFOUNDED" AND ATTEMPTS)	3 UNFOUNDED, I.E. FALSE OR BASELESS COMPLAINTS	4 NUMBER OF ACTUAL OFFENSES (COLUMN 2 MINUS COLUMN 3) (INCLUDE ATTEMPTS)	5 TOTAL OFFENSES CLEARED BY ARREST OR EXCEPTIONAL MEANS (INCLUDES COL. 6)	6 NUMBER OF CLEARANCES INVOLVING ONLY PERSONS UNDER 18 YEARS OF AGE
7. MOTOR VEHICLE THEFT TOTAL	90				
a. Autos	91				
b. Trucks and Buses	92				
c. Other Vehicles	93				

Unfounded Complaints

On occasion, an agency will receive a complaint which is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, the reported offense can be unfounded for UCR purposes. All such Part I offenses are still recorded and then scored as unfounded on the monthly Return A.

Please remember that the recovery of stolen property, the small value of stolen property, the refusal of

the victim to cooperate with prosecution, or the failure to make an arrest does not unfound a legitimate offense. Also the findings of a coroner, court, jury, or prosecutor do not unfound offenses or attempts which law enforcement investigations establish to be legitimate. If after scoring an actual offense in one of the Part I categories new information is developed through investigation which shows that the offense in fact did not occur, it may be unfounded on the next monthly Return A submitted by the agency.

CHAPTER VI

DEFINITIONS—PART II OFFENSES

The Uniform Crime Reporting Program offenses are divided into two groupings—Part I and Part II crimes. Arrest data are collected on both Part I and Part II offenses, and it is as important and essential to maintain uniformity in the data collection of persons arrested as it is in the offense data collection conducted for Part I crimes only.

The Part II offenses encompass all other crime classifications outside those defined as Part I earlier in this publication. In November, 1932, the UCR Program adopted a Standard Classification of Offenses for the compilation of criminal statistics. This classification was devised and adopted in order that law enforcement, judicial, and penal statistics might be uniformly compiled in terms of a single classification of offenses. The definitions of the Part II offenses that follow include some of the offense titles described in local and state law. These titles have been included as descriptive data to aid in determining the offenses that should be included or excluded in each classification.

9. Other Assaults

Assaults and attempted assaults where no weapon was used or which did not result in serious or aggravated injury to the victim are included as other assaults.

Examples of local jurisdiction offense titles which would be included in "other assaults" are:

- Simple assault;
- Minor assault;
- Assault and battery;
- Injury by culpable negligence;
- Resisting or obstructing an officer;
- Intimidation;
- Coercion;
- Hazing; and
- Attempts to commit the above.

10. Forgery and Counterfeiting

In the majority of states, forgery and counterfeiting are treated as allied offenses. Placed in this class are all offenses dealing with the making, altering, uttering, or possessing, with intent to defraud, anything false in the semblance of that which is true. Include:

- Altering or forging public and other records;
- Making, altering, forging, or counterfeiting bills, notes, drafts, tickets, checks, credit cards, etc.;

- Forging wills, deeds, notes, bonds, seals, trademarks, etc.;
- Counterfeiting coins, plates, banknotes, checks, etc.;
- Possessing or uttering forged or counterfeited instruments;
- Erasures;
- Signing the name of another or fictitious person with intent to defraud;
- Using forged labels;
- Possession, manufacture, etc., of counterfeiting apparatus;
- Selling goods with altered, forged, or counterfeited trademarks; and
- All attempts to commit the above.

11. Fraud

Fraudulent conversion and obtaining money or property by false pretenses.

Include:

- Bad checks, except forgeries and counterfeiting;
- Confidence games;
- Leaving full-service gas station without paying attendant;
- Unauthorized withdrawal of money from an automatic teller machine; and
- Attempts to commit the above.

12. Embezzlement

Misappropriation or misapplication of money or property entrusted to one's care, custody, or control. Include attempts.

13. Stolen Property; Buying, Receiving, Possessing

Include in this class all offenses of buying, receiving, and possessing stolen property, as well as all attempts to commit any of these offenses.

14. Vandalism

Vandalism consists of the willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. This offense covers a wide range of malicious behavior directed at

property, such as: cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying school records, tipping over gravestones, defacing library books, etc. Count all arrests for the above, including attempts.

15. Weapons; Carrying, Possessing, etc.

This class deals with weapon offenses, regulatory in nature, such as:

- Manufacture, sale, or possession of deadly weapons;
- Carrying deadly weapons, concealed or openly;
- Using, manufacturing, etc., silencers;
- Furnishing deadly weapons to minors;
- Aliens possessing deadly weapons; and
- All attempts to commit any of the above.

16. Prostitution and Commercialized Vice

Include in this class the sex offenses of a commercialized nature, such as:

- Prostitution;
- Keeping a bawdy house, disorderly house, or house of ill fame;
- Pandering, procuring, transporting, or detaining women for immoral purposes, etc.; and
- All attempts to commit any of the above.

17. Sex Offenses

(Except forcible rape, prostitution, and commercialized vice.) Include offenses against chastity, common decency, morals, and the like, such as:

- Adultery and fornication;
- Buggery;
- Incest;
- Indecent exposure;
- Indecent liberties;
- Seduction;
- Sodomy or crime against nature;
- Statutory rape (no force); and
- All attempts to commit any of the above.

18. Drug Abuse Violations

Drug abuse violation arrests are requested on the basis of the narcotics used. Include all arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Make the following subdivisions of drug abuse violation arrests, keeping in mind to differentiate between Sale/Manufacturing and Possession:

- (1) Sale/Manufacturing
 - a. Opium or cocaine and their derivatives (mor-

phine, heroin, codeine)

- b. Marijuana
- c. Synthetic narcotics—manufactured narcotics which can cause true drug addiction (demerol, methadones)
- d. Dangerous nonnarcotic drugs (barbiturates, benzedrine)
- (2) Possession
 - e. Opium or cocaine and their derivatives (morphine, heroin, codeine)
 - f. Marijuana
 - g. Synthetic narcotics—manufactured narcotics which can cause true drug addiction (demerol, methadones)
 - h. Dangerous nonnarcotic drugs (barbiturates, benzedrine)

Include all attempts to sell, manufacture, or possess any of the above.

19. Gambling

All charges which relate to promoting, permitting, or engaging in illegal gambling are included in this category. To provide a more refined collection of gambling arrests, the following breakdown should be furnished:

- a. Bookmaking (horse and sport book)
- b. Numbers and lottery
- c. All other

20. Offenses Against the Family and Children

Include here all charges of nonsupport and neglect or abuse of family and children, such as:

- Desertion, abandonment, or nonsupport of spouse or child;
- Neglect or abuse of spouse or child (if injury is serious, score as aggravated assault);
- Nonpayment of alimony; and
- All attempts to commit any of the above.

Note: Do not count *victims* of these charges who are merely taken into custody for their own protection.

21. Driving Under the Influence

This class is limited to the driving or operating of any vehicle or common carrier while drunk or under the influence of liquor or narcotics.

Include:

- Operating a motor vehicle while under the influence; and
- Operating an engine, train, streetcar, boat, etc., while under the influence.

22. Liquor Laws

With the exception of "drunkenness" (offense 23) and "driving under the influence" (offense 21), liquor law violations, state or local, are placed in this class.

Include:

- Manufacture, sale, transporting, furnishing, possessing, etc., intoxicating liquor;
- Maintaining unlawful drinking places;
- Bootlegging;
- Operating still;
- Furnishing liquor to a minor or intemperate person;
- Using a vehicle for illegal transportation of liquor;
- Drinking on train or public conveyance; and
- All attempts to commit any of the above.

23. Drunkenness

Include in this class all offenses of drunkenness or intoxication, with the exception of "driving under the influence" (offense 21).

Drunkenness

Drunk and disorderly

Common or habitual drunkard

Intoxication

24. Disorderly Conduct

In this class are placed all charges of committing a breach of the peace.

Include:

- Affray;
- Unlawful assembly;
- Disturbing the peace;
- Disturbing meetings;
- Disorderly conduct in state institutions, at court, at fairs, on trains or public conveyances, etc.;
- Blasphemy, profanity, and obscene language;
- Desecrating the flag;
- Refusing to assist an officer; and
- All attempts to commit any of the above.

25. Vagrancy

Persons prosecuted on the charge of being a "suspicious character or person, etc." are included in this class.

Include:

- Vagrancy;
- Begging;
- Loitering (persons 18 and over); and
- Vagabondage.

26. All Other Offenses

Include in this class every other state or local of-

fense (except traffic violations) not included in offenses 1 through 25, such as:

- Admitting minors to improper places;
- Abduction and compelling to marry;
- Bigamy and polygamy;
- Blackmail and extortion;
- Bribery;
- Combination in restraint of trade; trusts, monopolies;
- Contempt of court;
- Criminal anarchism;
- Criminal syndicalism;
- Discrimination, unfair competition;
- Kidnaping;
- Marriage within prohibited degrees;
- Offenses contributing to juvenile delinquency (except as provided for in offenses 1 to 25), such as employment of children in immoral vocations or practices, admitting minors to improper places, etc.;
- Perjury and subornation of perjury;
- Possession, repair, manufacture, etc., of burglar's tools;
- Possession of drug paraphernalia;
- Possession or sale of obscene literature, pictures, etc.;
- Public nuisances;
- Riot and rout;
- Trespass;
- Unlawfully bringing weapons into prisons or hospitals;
- Unlawfully bringing drugs or liquor into state prisons, hospitals, etc.; furnishing to convicts;
- Unlawful disinterment of the dead and violation of sepulture;
- Unlawful use, possession, etc., of explosives;
- Violations of state regulatory laws and municipal ordinances (this does not include those offenses or regulations which belong in the above classes);
- Violation of quarantine;
- All offenses not otherwise classified; and
- All attempts to commit any of the above.

27. Suspicion

While "suspicion" is not an offense, it is the grounds for many arrests in those jurisdictions where the law permits. After examination by law enforcement officers, the prisoner is either formally charged or released. Those formally charged are entered in one of the Part I or II offense classes. This class is limited to "suspicion" arrests where persons arrested are released by the police.

28. Curfew and Loitering Laws—(Persons under 18)

Count all arrests for violations of local curfew or loitering ordinances where such laws exist.

29. Runaways—(Persons under 18)

For purposes of the Uniform Crime Reporting Program, report in this category apprehensions for protective custody as defined by local statute. Arrests of runaways from one jurisdiction by another agency should be counted by the home jurisdiction. Do not include protective custody actions with respect to runaways taken for other jurisdictions.

Appendix B - UC Requirements

This appendix contains forms and form letters that all campuses should use. They have been prepared to ensure that the campuses meet the requirements of the Clery Act and to obtain some degree of uniformity among the campuses.

Notice to Campus Security Authorities

TO: [Designated Campus Security Authorities]
FROM: [Name], Chief of Police
DATE:
RE: Report of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is a federal law that requires each university receiving federal student assistance funding to annually compile and publish crime statistics for the university campus and surrounding areas. The Clery Act requires "campus security authorities" which includes, among others, all University officials having significant responsibility for student and campus activities, to report specified crime statistics for inclusion in the campus' Annual Security Report. You have been identified as a campus security authority who has the responsibility for reporting such crime statistics.

The criminal offenses that the campus is required to report are murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and nonforcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations and/or weapons law violations. In addition, the campus is required to separately report as hate crimes any of the above offenses that manifest evidence that the victim was intentionally selected because of the victim's race, gender, religion, sexual orientation, ethnicity or disability, as well as hate crimes that involve bodily injury.

The campus is further required to report these crimes separately for a number of different geographic locations. These locations each have a complex legal definition, but include locations such as campus student residential facilities, on-campus locations other than student residential facilities, non-campus buildings or property (including those owned or controlled by a recognized student organization), and public property adjacent to the campus.

If you are aware of any crimes that occurred on campus during calendar year [2000], and you are not sure they were reported to the campus police department, it is important that you forward information concerning the crime to me no later than [June 30, 2001]. I have enclosed a Crime Statistic Report Form and a Sexual Assault Report Form that should be used to report the incidents described above. Given the complexity of the Clery Act and related FBI crime definitions, the University does not expect campus security authorities to determine whether a given act actually meets the legal criteria for one of the specified crimes or the criteria for the specified location required to be included in the annual report. However, the information you provide on the enclosed forms will assist the police department in appropriately classifying and recording reported statistical information. We will contact you in the event we require additional information in making these assessments.

I would appreciate it if you would distribute this memorandum with the attachments to other staff members in your unit who you believe have "significant responsibility for student and campus activities." If you or others have any questions about this request or would like to discuss the specifics about an incident, please feel free to contact me at [phone number]. Please return all completed forms to me at [address].

Thank you for your cooperation and assistance in complying with this federal law.

Crime Incident Report Form

UNIVERSITY OF CALIFORNIA CRIME INCIDENT REPORT FORM

This form should be completed by those individuals identified as "campus security authorities" who are required to report information they receive about specified crimes (described below) pursuant to the federal Clery Act. The information collected from these forms will be used to prepare a compilation of statistical crime information that will be included in the campus' Annual Security Report.

It is the policy of the University of California to ensure that victims and witnesses to crime are aware of their right to report criminal acts to the police, and to report University policy violations to the appropriate office (e.g., student conduct violations to the Office of Student Judicial Affairs). **However, if a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included on this form that would personally identify the victim without his/her consent.**

Campus Police will use this form to determine the category of crime and location under which the crime should be reported according to the requirements of the Clery Act. **Please forward this completed form to:** [Chief of Campus Police Department] [Address].

Person Receiving Report: _____ Phone Number: _____

Report Made by:

_____ Victim

_____ Third Party Please identify relationship to victim: _____

Date and Time the Incident occurred: _____

Description of the incident or crime: _____

Location of Incident

Identify building name, address, etc.; be as specific as possible): _____

The location where this incident occurred was:

- _____ On campus, but not in student housing
- _____ On campus student housing
- _____ Off-campus affiliated property (owned, controlled, or affiliated with the campus; e.g., leased property, fraternity, student co-op)
- _____ Off-campus public property immediately adjacent to campus
- _____ Off-campus, NOT affiliated with or not adjacent to campus
- _____ Unknown

Sex Offenses

Examples of sex offenses are rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

Was this crime a sexual offense ? _____ Yes _____ No

If yes, were the victim and the assailant acquainted? _____ Yes _____ No

If yes, were either the victim or the assailant under the influence of alcohol or drugs?

Victim: _____ No Yes, alcohol _____ Yes, drugs _____

Assailant: _____ No Yes, alcohol _____ Yes, drugs _____

Hate Crimes

Hate crime information is required to be reported for each of the following crimes (criminal homicide, sex offense, robbery, aggravated assault, burglary, motor vehicle theft, and arson) and for any other crime involving bodily injury.

Was this incident motivated by hate or bias? _____ Yes ; _____ No .

If yes, identify the category of prejudice:

_____ Race _____ Ethnicity _____ National Origin
_____ Religion _____ Disability _____ Sexual Orientation

If yes, provide a brief explanation of the determination: _____

Alcohol, Drug and Weapons Law Violations

Check all that apply:

_____ Alcohol _____ Drugs _____ Weapons Describe: _____

Number of individuals arrested or referred for campus disciplinary action: _____

Request for Statistics from Local Police

[Date]

[Commanding Officer of Local Police Agency]
[Name and address of Local Police Agency]

Dear []:

I would like to request crime statistics for the locations described below for the 2000 calendar year. Pursuant to the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), the [name of campus] is required to annually compile and publish crime statistics. This annual report must include statistics of specified crimes reported to local police agencies that occurred on or near campus and on University controlled or affiliated property. The criminal offenses that the campus is required to report are the following offenses as defined by the FBI Uniform Crime Report (sex offenses are defined using the UCR-National Incident Based Reporting System): murder/non-negligent manslaughter; negligent manslaughter; sex offenses (forcible and nonforcible); robbery; burglary; aggravated assault; motor vehicle theft; and arson. In addition, I need statistics concerning any of the above crimes that manifest evidence of a hate crime, in addition to other crimes that involve bodily injury that also manifest evidence of a hate crime. Hate crimes are those crimes that manifest evidence that the victim was intentionally selected because of the victim's race, gender, religion, sexual orientation, ethnicity or disability.

Pursuant to the Clery Act, the campus is also required to report these crimes separately for a number of geographic locations. These locations include the main campus, on campus student residential facilities, off-campus buildings or property that is owned or controlled by the University, or a recognized student organization such as a fraternity, and public property immediately adjacent to the main campus.

Therefore, I respectfully request the required statistics for the following locations:

- [main campus]
- [addresses of off-campus property owned or controlled by an officially recognized student organization]
- [other off-campus property owned or controlled by the University and used in relation to the University's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution; e.g., property leased or owned by the University in the community surrounding the campus]
- [public property immediately adjacent to and accessible from the campus]

I have enclosed a "Crime Statistic Report Form" and "Sexual Offense Statistic Report Form" that are provided to campus officials required to comply with the same statistical reporting obligations we are requesting of you. I hope these forms further clarify the information that I am requesting of you.

I realize that complying with this request will add to the workload of your staff and very much appreciate your cooperation in assisting us in complying with this federal law. If you have any questions or wish to further discuss this request, please contact me at [phone number].

Sincerely,

[Chief of Campus Police Department]

Campus Crime Statistics Form

See next page (not numbered).

Campus Hate Crime Statistics Form

See next page (not numbered).

[CAMPUS] [YEAR]

Clery Act Crimes

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On Campus Residential Only			
	Reported to UCPD	Reported to Local PD	Reported to Non-Police	SUB-TOTAL	Reported to UCPD	Reported to Local PD	Reported to Non-Police	SUB-TOTAL	Reported to UCPD	Reported to Local PD	Reported to Non-Police	SUB-TOTAL		Reported to UCPD	Reported to Local PD	Reported to Non-Police	Section TOTAL
Murder/Non-Negligent Manslaughter																	
Negligent Manslaughter																	
Robbery																	
Aggravated Assault																	
Motor Vehicle Theft																	
Arson																	
BURGLARY (TOTAL)																	
Forcible Burglary																	
Non-Forcible Burglary																	
Attempted Burglary																	
SEX OFFENSES, FORCIBLE (TOTAL)																	
Forcible Rape																	
Forcible Sodomy																	
Sexual Assault w/ Object																	
Forcible Fondling																	
SEX OFFENSES, NON-FORCIBLE (TOTAL)																	
Incest																	
Statutory Rape																	
Liquor Law Arrests																	
Liquor Law Violations Referred for Disciplinary Action		NA				NA				NA					NA		
Drug Law Arrests																	
Drug Law Violations Referred for Disciplinary Action		NA				NA				NA					NA		
Illegal Weapons Possession Arrests																	
Illegal Weapons Possession Violations Referred for Disciplinary Action		NA				NA				NA					NA		

[CAMPUS] [YEAR]
Hate Crimes

	All On-Campus Property				Non-Campus Property				Public Property				TOTAL	On Campus Residential Only			
	Reported to UCPD	Reported to Local PD	Reported to Non- Police	SUB-TOTAL	Reported to UCPD	Reported to Local PD	Reported to Non- Police	SUB-TOTAL	Reported to UCPD	Reported to Local PD	Reported to Non- Police	SUB-TOTAL		Reported to UCPD	Reported to Local PD	Reported to Non- Police	Section TOTAL
Murder/Non-Negligent Manslaughter																	
Negligent Manslaughter																	
Robbery																	
Aggravated Assault																	
Motor Vehicle Theft																	
Arson																	
BURGLARY (TOTAL)																	
Forcible Burglary																	
Non-Forcible Burglary																	
Attempted Burglary																	
SEX OFFENSES, FORCIBLE (TOTAL)																	
Forcible Rape																	
Forcible Sodomy																	
Sexual Assault w/ Object																	
Forcible Fondling																	
SEX OFFENSES, NON-FORCIBLE (TOTAL)																	
Incest																	
Statutory Rape																	
Other Hate Crimes Involving Bodily Injury																	
GRAND TOTAL																	

Hate Crimes -- Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race (RA), religion (RE), sexual orientation (SO), gender (G), ethnicity (E), or disability (D). The above chart uses the foregoing codes. Example: 2-D in a column box indicates that two of the specified category of crime (e.g., aggravated assault) occurring in a specified location (e.g., public property), and reported to a specified entity (e.g., campus police) were hate crimes based upon disability in this calendar year.

Notice to Enrolled Students

Notice of Availability of Campus Security Reports

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, enrolled students are entitled to request and receive a copy of the Security Report for the [] campus. The report includes statistics for the past three years concerning crimes and incidents (whether they occurred on campus, in off-campus buildings or property owned or controlled by the University, or on public property adjacent to campus) reported to campus security authorities. The report also provides campus policies and practices concerning security – how to report sexual assault and other crimes, crime prevention efforts, policies/laws governing alcohol and drugs, victims' assistance programs, student discipline, campus resources, and other matters. You may obtain a copy of this report by contacting [name and address of campus office] or online by accessing the following Internet address: [address of website]

Notice of Availability of Certain Other Information About the University

The University is also required under federal law to make certain other information available to students, parents, prospective students, employees, prospective employees, potential student-athletes, high school coaches, guidance counselors, and the general public, as follows:

- A. **Information on Student Privacy Rights**
Information on student privacy rights, as outlined in the federal Family Educational Rights and Privacy Act (FERPA), including procedures for inspection, correction, and disclosure of information in the student's record; a description of what constitutes directory information; the consequences of blocking directory information; and an explanation of how to impose and remove such a block.
- B. **Information on Student Financial Assistance**
Information on the availability of scholarships and student financial aid programs, including information on how to apply, eligibility criteria, general award criteria, and the rights and responsibilities of students who accept financial aid.
- C. **Information on Student Graduation and Transfer Out Rates**
Information about the percentage of students who enter the University as freshmen and either graduate within a set time frame or transfer to a program at another institution for which the University provided the student with substantial preparation.
- D. **Information on Athletic Program Participation Rates and Financial Support Data**
Information about (1) The rates at which men and women participate in intercollegiate sports, the revenue and expenses of the various intercollegiate sports programs; and (2) the levels of athletically-related financial aid awarded to different types of student athletes.
- E. **Information on Graduation and Transfer Out Rates of Student Athletes**
Information on the rates at which student athletes graduate from the University or transfer to another institution for which the University has provided the student athlete with substantial preparation.

F. Other Information on the University

Information on the (1) costs of attendance; (2) academic programs; (3) special services available to disabled students; (4) campus Student Financial Aid Office contact phone numbers; (5) withdrawal procedures and locations where students can complete a withdrawal; (6) refund policies; (7) return of aid rules; (8) accreditation information; and (9) student aid for study abroad programs.

Students who have access to the Internet may obtain information in any of the above categories about [name of campus] by linking to the following campus website: [link]

If you do not have access to the Internet, you may obtain information in any of the above categories about [name of campus] by submitting a request in writing directly to: [name and address of campus office]

(To facilitate the handling of your request, please mark clearly on the outside of the envelope "Information Request—Student Privacy Rights", "—Student Financial Assistance", "—Student Graduation and Transfer Out Rates", etc. as appropriate)

Annual Notice to Current Employees

ANNUAL NOTICE TO CURRENT EMPLOYEES

Notice of Availability of [name of campus] Annual Security Report

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, campus employees are entitled to request and receive a copy of the [name of campus] Annual Security Report prepared in compliance with this Act. The report includes statistics for the past three years concerning crimes reported to Campus Security Authorities that occurred on campus, in off-campus buildings or on property owned or controlled by the University, and on public property adjacent to the campus. The report also includes campus policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance programs, student discipline, campus resources, and other matters. You may obtain a copy of this report by contacting [name and address of campus office] or by accessing the following website [address of website].

Notice to Prospective Students

Notice to Prospective Students

Notice of Availability of Campus Security Reports

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, prospective students are entitled to request and receive a copy of the Security Report of any campus of the University they are interested in attending. Each Security Report includes statistics for the past three years concerning crimes and incidents (whether they occurred on campus, in off-campus buildings or property owned or controlled by the University, or on public property adjacent to campus) reported to campus security authorities. Each Report also provides campus policies and practices concerning security – how to report sexual assault and other crimes, crime prevention efforts, policies/laws governing alcohol and drugs, victims' assistance programs, student discipline, campus resources, and other matters.

Security Reports for each campus of the University are available online through the following University-wide link: [\[link\]](#)

If you do not have access to the Internet, you may obtain a copy of the Security Report of each campus you are interested in attending by submitting a request in writing directly to:

University of California, Berkeley
Chief of Police
1 Sproul Hall
Berkeley, CA 94720-1199

University of California, Davis
Chief of Police
Fire/Policy Building
One Shields Avenue
Davis, CA 95616-8681

University of California, Irvine
Chief of Police
150 Public Services Building
Irvine, CA 92717-4900

University of California, Los Angeles
Chief of Police
601 Westwood Plaza
Los Angeles, CA 90095

University of California, Riverside
Chief of Police
3500 Canyon Crest
Riverside, CA 92521

University of California, San Diego
Chief of Police
9500 Gilman Drive 00171
La Jolla, CA 92093—0017

University of California, San Francisco
Chief of Police
1855 Folsom Street
San Francisco, CA 94143-0238

University of California, Santa Barbara
Chief of Police
1201 Public Safety Building
Santa Barbara, CA 93106

University of California, Santa Cruz
Chief of Police
“H” Barn – 1156 High Street
Santa Cruz, CA 95064

Notice of Availability of Certain Other Information About the University

The University is also required under federal law to make certain other information available to students, parents, prospective students, employees, prospective employees, potential student-athletes, high school coaches, guidance counselors, and the general public, as follows:

- A. **Information on Student Privacy Rights**
Information on student privacy rights, as outlined in the federal Family Educational Rights and Privacy Act (FERPA), including procedures for inspection, correction, and disclosure of information in the student's record; a description of what constitutes directory information; the consequences of blocking directory information; and an explanation of how to impose and remove such a block.
- B. **Information on Student Financial Assistance**
Information on the availability of scholarships and student financial aid programs, including information on how to apply, eligibility criteria, general award criteria, and the rights and responsibilities of students who accept financial aid.
- C. **Information on Student Graduation and Transfer Out Rates**
Information about the percentage of students who enter the University as freshmen and either graduate within a set time frame or transfer to a program at another institution for which the University provided the student with substantial preparation.

- D. Information on Athletic Program Participation Rates and Financial Support Data
Information about (1) The rates at which men and women participate in intercollegiate sports, the revenue and expenses of the various intercollegiate sports programs; and (2) the levels of athletically-related financial aid awarded to different types of student athletes.
- E. Information on Graduation and Transfer Out Rates of Student Athletes
Information on the rates at which student athletes graduate from the University or transfer to another institution for which the University has provided the student athlete with substantial preparation.
- F. Other Information on the University
Information on the (1) Costs of attendance; (2) academic programs; (3) special services available to disabled students; (4) campus Student Financial Aid Office contact phone numbers; (5) withdrawal procedures and locations where students can complete a withdrawal; (6) refund policies; (7) return of aid rules; (8) accreditation information; and (9) student aid for study abroad programs.

Prospective students who have access to the Internet may obtain information in any of the above categories about a specific campus or campuses by linking to the appropriate campus website or websites (where such information is available on the web) through the following Universitywide link: [link].

If you do not have access to the Internet, you may obtain information in any of the above categories about a specific campus or campuses by submitting a request in writing directly to:

(To facilitate the handling of your request, please mark clearly on the outside of the envelope "Information Request—Student Privacy Rights", "—Student Financial Assistance", "—Student Graduation and Transfer Out Rates", etc. as appropriate)

University of California, Berkeley
Office of the Vice Chancellor, Undergraduate Affairs
130 California Hall, MC#1504
Berkeley, CA 94720-1504

University of California, Davis
Office of the Vice Chancellor, Student Affairs
476 Mrak Hall
One Shield Avenue
Davis, CA 95616

University of California, Irvine
Office of the Vice Chancellor, Student Affairs
405 Administration Building
Irvine, CA 92697-5180

University of California, Los Angeles
Office of the Vice Chancellor, Student Affairs
2127 Murphy Hall
405 Hilgard Avenue
Los Angeles, CA 90095-1405

University of California, Riverside
Office of the Vice Chancellor, Student Services and Enrollment
3108 Hinderaker Hall
Riverside, CA 92521

University of California, San Diego
Office of the Vice Chancellor, Student Affairs
9500 Gilman Drive
La Jolla, CA 92093-0015

University of California, San Francisco
Office of the Associate Vice Chancellor, Student Academic Affairs
500 Parnassus Avenue, MU 200W
San Francisco, CA 94143-0244

University of California, Santa Barbara
Office of the Vice Chancellor, Undergraduate Affairs
5203 Cheadle Hall
Santa Barbara, CA 93106-2030

University of California, Santa Cruz
Office of the Vice Chancellor, Student Affairs
296 McHenry
Santa Cruz, CA 95064

Notice to Prospective Employees

NOTICE TO PROSPECTIVE EMPLOYEES

Notice of Availability of [name of campus] Annual Security Report

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, prospective employees are entitled to request and receive a copy of the [name of campus] Annual Security Report prepared in compliance with this Act. The report includes statistics for the past three years concerning crimes reported to Campus Security Authorities that occurred on campus, in off-campus buildings or on property owned or controlled by the University, and on public property adjacent to the campus. The report also includes campus policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance programs, student discipline, campus resources, and other matters. You may obtain a copy of this report by contacting [name and address of campus office] or by accessing the following website [address of website].

Crime Alert Publication Determination Form

CRIME ALERT PUBLICATION DETERMINATION FORM

Date of Incident: _____ Date Reported to [campus] Police Department: _____

Classification: _____ File Number: _____

Crime Alert Posted? ☐ Yes ☐ No

If yes, Date: _____

Has the subject been arrested/barred from campus? ☐ Yes ☐ No

Will a Crime Alert being posted hinder the investigation? ☐ Yes ☐ No

If yes, why? _____

If a Crime Alert was not posted, indicate the reason(s) why:

Signature: _____

[Chief of Police]

Appendix C - Sample Policy Statements

The following pages are sample policy statements selected from various UC campus security reports. They are intended to illustrate the level of detail and the kinds of information that should be included. Actual policies and procedures will differ from campus to campus.

Sample List of Officials with Significant Responsibility for Student and Campus Activities

This sample is from the UC Davis campus:

The following campus officials within the units described below would likely have significant responsibility for student and campus activities: vice chancellors, deans, assistant and associate vice chancellors and deans, unit directors and managers, executive officers and management services officers, department chairs, faculty advisors to student groups, coaches, professional service staff (other than professional or pastoral counselors), student judicial affairs officers, and student housing staff (including resident assistants).

Academic Divisions

- Colleges
- Departments
- Divisions
- Graduate Studies
- Professional Schools
- Summer Sessions

Office of the Vice Chancellor—Student Affairs

- Administration and Student Life
- Student Development
- Enrollment, Advising & Academic Support Services
- Advising Services
- Associated Students of the University of California, Davis
- Bookstore
- African American and African Studies
- Chicana/o Studies
- Student Health Center
- Cross-Cultural Center
- Disability Resource Center
- Intercollegiate Athletics
- Intramural Sports Program
- Learning Skills Center
- Lesbian, Gay, Bisexual and Transgender Resource Center
- Memorial Union Auxiliary Services
- Memorial Union Programs and Campus Recreation
- Recreation Hall
- Registrar
- Services for International Students and Scholars
- Student Judicial Affairs

- Student Housing
- Student Programs and Activities Center
- Student Special Services
- Women's Resources and Research Center

Office of Administration

- Transportation and Parking Services
- Campus Events and Visitor Services
- Campus Tours
- Conference and Event Services
- Employee Health Services
- Human Resource Consultants
- Employee and Labor Relations Consulting Group
- Risk Management
- Property and Liability
- Sexual Harassment Education
- Staff Affirmative Action and Diversity
- Vocational Rehabilitation
- Workers Compensation
- Facilities
- Environmental Health & Safety
- Fire Department

Office of the Provost

- Academic Personnel
- Office of Diversity, Affirmative Action/Equal Employment
- Undergraduate Studies

Sample Policy for Timely Warning

This sample is from the Berkeley campus:

Cal TIP: Anonymous Crime Tip Program

Do you have information concerning a crime that has already occurred or about an ongoing crime problem in and around the campus? If so, you can send us confidential information via our home page where it will be sent to us via electronic mail.

Cal TIP is NOT intended for in-progress crimes. To report in-progress crimes call 911 from an off campus or pay phone, or 9-911 from a campus phone. To access the Cal TIP page, click [here](#).

How We Report Crime to the Campus Community

In addition to the yearly statistics provided in this booklet and on our web site, our department will make periodic reports, or Crime Alerts, to the campus community of recent crimes that may affect the quality of life in the greater campus area. These reports are intended to raise awareness regarding criminal activity so that the community can increase or implement personal safety strategies.

Crime Alerts, will be distributed through the following means:

- The UC Police Web Site at www.berkeley.edu/ucpolice
- The UCB Police News electronic mail list
- Flyers to selected offices on campus, including Student Activities and Services and Residential and Family Living

If you would like to receive crime alerts, as well as occasional safety briefs, via electronic mail see below for subscription information to UCB Police News.

UCPD, in conjunction with Campus Safety Programs has created an email list open to all members of the campus community. This list is a part of our department's ongoing effort to notify the campus community when incidents of criminal activity occur which may have an impact on the quality of life of the campus community at large and to share crime prevention information. List members can expect to receive crime alerts for the Berkeley campus and immediate area, when appropriate. There may also be periodic informational messages about topics in crime prevention such as theft prevention and night safety.

To sign up for the list, send email to: Majordomo@listlink.berkeley.edu with the following in the body of the message: `subscribe ucb_police_news [your email address]`

The message should contain no other information or signature files. If you have any questions about the list or need help subscribing, contact us: ucpolice@uclink.berkeley.edu.

Send Us E-Mail

The UC Police Department has an electronic mail address so that you can ask us questions regarding safety and other law-enforcement issues. To drop us a line, write to us at: ucpolice@uclink.berkeley.edu.

Sample Policy for Preparing Annual Report

This sample is from the Davis campus:

Collection of Statistics for Campus Security Report

The UC Davis Police have responsibility for gathering statistics, identifying reportable crimes, and reporting/publishing statistics to Department of Education, to the FBI, and to the public. Statistics are reported in different formats and categories depending upon legal requirements: FBI reports include different crimes from the Clery Act, while the Clery Act requires statistics to be reported from a wider geographic area than the FBI (e.g., adjacent public property and student organization properties), and also requires reports of student disciplinary referrals in addition to arrests for drug, alcohol, and weapons offenses.

Further, the Clery Act mandates the collection of information regarding incidents from non-law enforcement "campus security authorities" having "significant responsibility for students or campus activities," while FBI statistics include only crimes reported to the police.

The Campus Security Report is compiled for the previous calendar year from statistics based upon crime reports received by the UC Davis Police Department; from crime statistics received from outside police agencies; and from incident reports received from other campus officials having significant responsibility for students and student activities.

UC Davis urges that all crimes be reported to the UC Davis Police Department. Incidents that may or may not be crimes may also be reported to "campus security authorities" which include, in addition to the UC Davis Police, those with responsibility for controlling access to buildings or facilities and officials having significant responsibility for student or campus activities. Licensed counselors (including certified Sexual Assault Victim Counselors) and campus clergy (pastoral counselors) are exempt from reporting requirements. UC Davis encourages counselors and clergy, if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Security Report.

Non-police campus security authorities receiving reports of incidents that may be crimes report the incident to the Campus Violence Prevention Program in the UC Davis Police Department. These reports are confidential unless the victim gives permission to document identifying information or for police to investigate. Reporting forms include crime definitions and request specific information (e.g., date, location, and nature of the offense). This information and regular meetings of key campus officials are used to preserve confidentiality, avoid duplicate, inaccurate, or inflated statistical reporting, and assure that the incidents listed are, as much as possible, congruent with FBI Uniform Crime Reporting classifications.

Federal regulations provide that crime statistics must be compiled "using the definitions of crimes provided in the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Hate Crime Data

Collection Guidelines and Training Guide for Hate Crime Data Collection.” 34 CFR 668.46(c)(7). An incident need not be included as a crime statistic unless “the appropriate law enforcement officials conclude that the crime did occur with the same degree of certainty that they would require for purposes of reporting under the FBI’s Uniform Crime Reporting System.” (59 Fed. Reg. 22318 (April 29, 1994). The police determine that the elements of the crime have been met. Because incidents not reported to the police usually cannot be verified as crimes in the same way that law-enforcement agency reports can be verified, the Campus Security Report lists these statistics separately as “incidents” rather than “crimes.”

The City of Davis, the City of Sacramento, and Yolo and Solano counties surround much of the main UC Davis campus and the UC Davis Medical Center. Police agencies with jurisdiction over those areas are asked to provide crime statistics for adjacent public property and non-campus buildings including outlying campus and UC Davis Medical Center facilities, as well as statistics for the addresses of facilities such as Greek-letter organization housing.

UC Davis Police report arrests for liquor law, drug, and weapons violations occurring on campus, in Student Housing, at non-campus buildings, and on public property adjacent to campus. Student Housing and Student Judicial Affairs separately track disciplinary referrals for drug, liquor law, and weapons violations. Student Housing and Student Judicial Affairs consult with each other and with the police to avoid double reporting of the same incident; a disciplinary referral will be reported if it is not otherwise reported as an arrest or crime.

Sample List Where to Report Crimes

This sample is from the Los Angeles campus:

Reporting Incidents & Crimes

Whether it happens to you or you're a witness, you have the responsibility to report crime. If a crime occurs on or around campus, report it immediately to the police. UCPD has primary jurisdiction over the University and Medical Centers.

Crimes in progress and crimes that have just occurred should be reported by dialing 9-1-1 from any phone. Whenever possible, the actual victim or witness of the crime should call the Communication Center directly. Firsthand information is always more accurate and complete. If someone merely gives you the information and leaves, please include this information. There are blue *Emergency Phones* throughout campus and yellow *Emergency Phones* in the parking structures. The Emergency Phones are directly linked to UCLA Police.

The UCLA Emergency Communication Center is staffed 24-hours a day by trained public safety dispatchers. The dispatchers constantly receive calls from the 9-1-1 and business lines. They assign the appropriate police officers, firefighters or paramedics/EMTs to handle the call. When calling to report a crime or incident, please be ready to give information such as: a brief description of what occurred, where the incident occurred, when the incident occurred, did the suspect(s) have a weapon, where and when was the suspect(s) last seen, what did the suspect(s) look like (gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars) and any other relevant information. In addition to the importance of reporting, timely information assists us in developing information and warnings for the campus.

Non-Emergency Procedures

For non-emergency assistance, please call the UCLA Police Department at (310) 825-1491. The UCLA Police Department is located on campus at 601 Westwood Plaza.

While students are encouraged to report crimes to the police, the Dean of Students, Ombuds Office and the Center for Women & Men will also provide assistance with reporting.

Sample Policy on Campus Security Measures

This sample is from the Davis campus:

Access to Campus Buildings and Grounds

The University of California, Davis is a large campus, situated on 5,500 acres. During the school year, our daily population of nearly 43,000 students, staff, and faculty makes us a small city in itself with its own crime problems. The nature of the study, service, and research conducted at UC Davis and UCDMC requires that many of our buildings and facilities be open and accessible 24 hours a day. Since the campus and UCDMC are open, many individuals find it easy to access the buildings and grounds; a few may engage in criminal activity. So, regardless of the time of day or night, no matter where you are on campus or at UCDMC, be alert and aware of your surroundings and exercise common sense safety precautions.

Non-Residential Buildings

Our campus has over 1,100 buildings comprising almost 8 million square feet. Burglars or other individuals' intent on crime may target these structures. Although almost all of these buildings can be accessed by key after business hours, many are locked and alarmed after 5 p.m. It is essential that staff, faculty, and students cooperate to keep closed facilities locked. To ensure that unauthorized individuals do not enter campus buildings DO NOT prop doors open or leave doors unlocked if you enter after hours, or open the door for individuals you do not know. In addition, protect the security of campus keys, and report immediately the loss or theft of keys.

Residential Buildings

UC Davis provides residential housing to approximately 6,500 students, from apartments designed for students with children to multi-student apartment complexes and high-rise residential buildings. The UC Davis Police Department, Student Housing staff, and apartment managers for on-campus private housing work closely together to create a safer and more comfortable living and learning environment. The security of residential areas involves on-duty residence hall staff, apartment managers, Cal Aggie Host and Safety Escort services, and round-the-clock UC Davis Police patrols. Campus wide security and safety seminars are held for residents throughout the year to increase awareness of crime risks and improve campus safety. To provide residents with timely notice of major crimes or threats to the campus, Student Housing staff and apartment managers promptly post all Crime Alert Bulletins.

Although all residence halls* are accessible only by key or card key 24 hours a day, residents must also take an active role to ensure their own security by exercising common sense and by learning and following campus security procedures. In addition, since the campus is open, and visitors to residence halls and

apartments are not restricted or monitored, residents need to be alert and aware of their surroundings.

To maintain the safety and security of residence halls, residents and visitors must ensure that locked buildings stay closed and locked. Keep your room or apartment door locked, always carry your key, take precautions to protect your keys against theft or loss, and report immediately any theft or loss of your building/room keys. In addition, do not open the door for people you don't know, and alert residence hall staff and the UC Davis Police Department if you notice unauthorized entry (for example, someone climbing over a fence) or suspicious activity (someone you don't know walking out of a friend's room carrying a computer).

This sample is from the Los Angeles campus.

UCLA Facilities Management Campus Maintenance Organization maintains campus facilities to ensure a safe and secure campus. Members of the Facilities Management Disaster Initial Response Team receive training in first response, fire suppression, light search and rescue and restoring building functionality in the event of a major disaster

Sample Policy re Law Enforcement

These samples are from the Davis campus:

a. Enforcement authority concerning security personnel:

UC Davis Police Department officers are duly sworn peace officers under Section 830.2 of the California Penal Code. The department's 50 officers are armed and have the same authority under the law as municipal police officers. UC Davis police officers patrol the campus and UCDMC 24 hours a day, 365 days a year. They enforce applicable local, state, and federal laws; arrest violators; investigate and suppress crime; investigate traffic and bicycle accidents; and provide a full range of police-related services, including immediate response to all medical and fire emergencies. The communication center also operates 24 hours a day, 365 days a year and is able to take calls from TDD machines.

The Department also employs unarmed Public Safety Officers at UCDMC, to provide on-site security and assistance in the hospital and outlying areas, as well as 150 student Cal Aggie Hosts who perform security-related functions on campus.

Crime prevention and apprehension of those who commit crimes at the UC Davis campus and UCDMC are the Police Department's primary goals. To achieve these goals, the Police Department works closely with surrounding law enforcement agencies.

b. and c. Prompt reporting and pastoral counselor reporting procedures

UC Davis urges that all crimes be reported to the UC Davis Police Department. Incidents that may or may not be crimes may also be reported to "campus security authorities" which include, in addition to the UC Davis Police, those with responsibility for controlling access to buildings or facilities and officials having significant responsibility for students or campus activities. Licensed counselors (including certified Sexual Assault Victim Counselors) and campus clergy (pastoral counselors) are exempt from reporting requirements. UC Davis encourages counselors and clergy; if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Security Report.

Sample Policy on Safety Information

This sample is from the Los Angeles campus.

The UCLA Police Department is dedicated to promoting and maintaining safety awareness and community outreach programs. In addition to Patrol services, the Police Department has a Crime Prevention Unit dedicated to developing and coordinating a variety of activities to meet the safety needs of the entire campus community. Presentations and special workshops on all aspects of personal safety, prevention of workplace violence, office/business safety, rape/assault prevention and related law enforcement topics are scheduled on a regular basis or by request for all campus members and at employee and student orientations. During 1999 there were approximately 10,510 individuals reached through campus presentations and programs. Informational news articles, emergency flyers and safety related brochures are developed and distributed to students and employees describing incidents impacting campus security or personal safety.

The UCPD encourages students and employees to take responsibility for their own safety by taking proactive steps to reduce the likelihood of crimes on campus or to themselves. Crime prevention literature is available at the University Policy Department lobby, on the UCPD web page and throughout campus. The Department also offers numerous crime prevention programs and workshops each quarter.

Sample Policy on Crime Prevention Information

This sample is from the Irvine campus:

The prevention of crime is a top priority. The police department supports a proactive crime prevention unit that works closely with community members to make UCI a safer place. Crime prevention and awareness programs begin with freshman orientation presentations involving issues of student conduct, academic dishonesty, civility, sexual harassment, sexual exploitation, substance abuse, alcohol and hate violence. Then throughout the year, the crime prevention officer regularly gives presentations and workshops on topics such as personal safety, self-defense, office, safety, rape prevention, vehicle and residential security.

The UCI Police Department Crime Prevention Officer works closely with the Student Awareness Programs to compile and publish information on the most recent campus crime trends. Brochures and literature on crime prevention and personal safety are available from both offices.

Sample Policy on Off-Campus Criminal Activity

This sample is from Dolores Stafford's George Washington University website:

George Washington University does not have any officially recognized student organizations that have housing facilities "off-campus". There are several recognized student organizations that have privately owned houses within the campus boundaries. If the MPD is called by a citizen to respond to one of these locations, they will typically notify UPD to respond with them or they will notify UPD after they have responded to inform UPD of the situation. However, the MPD does this out of courtesy and is not "required" to notify or involve UPD when they respond to a call involving private property.

Sample Policy on Alcoholic Beverages

This sample is from the San Diego campus:

The possession, sale or the furnishing of alcohol on the University campus is governed by UCSD Alcohol Policy and California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control (ABC). However, the enforcement of alcohol laws on campus is the primary responsibility of the UCSD Police Department. The UCSD campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the UCSD Police Department. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the UCSD Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

Sample Policy on Illegal Drugs

This sample is from the San Diego campus:

The UCSD campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the UCSD Police Department. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Sample Policy on Substance Abuse Programs

This sample is from the San Diego campus:

UCSD students and employees with substance abuse problems (including alcohol) create a health and safety risk for themselves and for others. Such abuses can also result in a wide range of serious emotional and behavioral problems. UCSD makes available to students and employees a variety of alcohol and substance abuse programs. These programs are designed to discourage the use of illicit substances and to educate students and others as to the merits of legal and responsible alcohol consumption.

UCSD Psychological and Counseling Services provides counseling and referral services to students who are troubled by a substance abuse problem. Group and individual counseling sessions are available to students at no cost. All information regarding any contact or counseling is confidential and will be treated in accordance with University policies, state and federal laws. A student's decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action.

UCSD employees who have substance abuse problems are encouraged to seek assistance through the UCSD Faculty and Staff Assistance Program (FSAP) located on campus. Individual counseling, referral and other valuable services are available through this office. UCSD policies on substance abuse are also described in the schedule of classes entitled, "Official Notice to Students Required by the Drug-Free Schools and Communities Act of 1989."

Sample Policy on Sexual Assault Programs

This sample is from the Santa Barbara campus:

Educational Program Description

Sponsored by the Police Department and the Women's Center, the Rape Prevention Education Program provides education and information about sexual assault, dating and domestic violence, and stalking. Programs explain laws and definitions, suggest strategies to increase safety, and dispel the common myths about sexual violence. The RPEP also provides assistance for survivors of sexual violence and their families and friends. Assistance includes crisis counseling, information about reporting to law enforcement and the campus judicial system, help with legal and medical questions, help with academic and housing problems, and referrals to other campus and community resources.

Procedures to follow if a sexual offense occurs:

Information about notifying law enforcement personnel:

1. Get to a safe place. Call a friend or someone else to be with you.
2. If you know you want to report to the police, call 911 (9-911 on campus) and say, "I want to report an assault." You will need to give your name and other information.
3. If you are not sure what you want to do, call the Santa Barbara Rape Crisis Center's 24-hour hotline (564-3696). You do not have to give your name. The advocate will talk with you about your options, rights, and choices.
4. You may also call or come in to the UCSB Women's Center, Monday through Friday from 10 am until 5 PM (893-3778). A staff member will help you with your decisions about what to do.
5. If you are not sure about reporting but think you might want to later, you must make a police report now in order to obtain an evidence exam. The evidence exam can only be done if you make an official report. You have the right to change your mind later about being involved in a legal case.
6. Do not eat, drink, wash, shower, go to the bathroom, douche or clean up. As hard as this is, your body comprises the evidence in a sexual assault. If you have already done these things it is still okay to make a report; be sure to let the officer know.
7. If you definitely do not want to report to the police, it is still a good idea to have a medical exam to see if you were injured internally and to check for sexually transmitted diseases and pregnancy. You can do this at Student Health during their normal hours of operation or have a private physician do the exam.
8. It is important to note, however, that all health care providers (including Student Health) are legally required to report to the police any suspected sexual or physical assaults. This does not mean that YOU must talk to the police.

Information about counseling:

The Rape Prevention Education Program Coordinator is available to assist with crisis intervention, medical and legal questions, referrals to outside agencies, liaison to professors for academic problems, assistance with housing changes, and assistance with reporting to law enforcement and the campus judicial system. These services are free and confidential.

Other counseling resources on campus:

1. Counseling & Career Services for students;
2. Academic and Staff Assistance Program for staff and faculty.

Notification about changes in academic/living situations:

Survivors of sexual assault may:

1. Request academic assistance for missed classes or exams, or help with rearranging coursework.
2. Be moved if both you and the accused live in residential housing, or you may request that the accused be moved pending a campus conduct hearing.

Procedures for campus disciplinary action:

The following information applies only to UCSB student perpetrators of sexual assault and outlines how UCSB responds. Please get advice from the Rape Prevention Education Coordinator, or the police, if the offender is a faculty, staff or community member.

1. Any person sexually assaulted by a student on University property, at an official University function, or on any property deemed by the University to be within its jurisdiction, may ask the University to investigate and bring charges against the accused.
2. A preliminary investigation by the Associate Dean of Students will determine whether "interim suspension" should be invoked (see Section 105.08, Campus Regulations). Essentially, this process immediately removes from campus any person deemed an immediate threat or danger to any member of the campus community.
3. The Associate Dean will also determine if the case should go to a hearing based on preliminary investigation and the determination of a prima facie case of sexual assault. The role of the Dean's office is both to establish a case against, and protect the rights of, the accused. For the University to take action against the student, the victim must, whenever possible, be the reporting party and be willing to testify at a closed conduct committee hearing.
4. If a hearing is held, the complainant and others may be asked to testify. The complainant and the respondent (accused) will each, separately, work with the Dean of Students Office throughout the adjudication of a complaint. The RPEP can provide an advocate for the complainant when requested; it is our recommendation that all complainants seek this assistance.

Complainant's Rights And Responsibilities Connected To A Conduct Hearing

1. To a timely hearing after filing charges (cases reported just prior to the end of a quarter may be delayed by the quarter break period);
2. To have a person or persons of her or his choice accompany her or him to the hearing;
3. To remain present throughout the proceeding (excluding Committee deliberations);
4. Not to have to sit directly across from or next to the accused;
5. To respond to questions about the facts of the case posed by the Committee, or Judicial Affairs staff;
6. Not to have his or her irrelevant past sexual history discussed during the hearing;
7. To be informed as soon as possible of the outcome of the hearing;
8. To keep the outcome of the hearing confidential.

Rights of the Accused

The accused has the right to procedural due process as outlined in the Campus Regulations. Among these rights are the right:

1. To written notice of the charges;
2. To be accompanied at the hearing by an advisor;
3. To be present while evidence is being presented;
4. To produce witnesses and evidence pertaining to the case;
5. To confront and cross-examine all witnesses;
6. To not be required to give self-incriminating evidence.

For a full description of accused rights and responsibilities, as well as an overview of the disciplinary system, please see Chapter VI of the UCSB Campus Regulations Applying to Campus Activities, Organizations, and Students. All hearings are closed and information pertaining to a conduct case is protected by federal and state privacy laws.

Description of sanctions:

Students found guilty of a sexual assault may receive the following university sanctions: warning, disciplinary probation, exclusion from areas of campus or activities, suspension, or dismissal.

Sample Policy on Registered Sex Offender Information

The State of California requires sex offenders to register with the police in the jurisdiction in which they reside. The State makes this information available to law enforcement agencies. This information is available to the public at the local police department. For the [Name] campus information on registered sex offenders is available at: [Name] Police Department, [Address], [Phone Number].

Sample Campus Crime Alert

These samples are from the Davis campus:

See next two pages (not numbered).

THIS BULLETIN IS IN COMPLIANCE WITH THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT SIGNED INTO LAW, NOVEMBER 8, 1990.

UNIVERSITY OF CALIFORNIA, DAVIS POLICE DEPARTMENT
July 6, 2000



Campus Crime Alert Bulletin

Crime: 314 PC - Indecent Exposure

Date & Time: Thursday June 29, 2000 at 9:30 p.m.

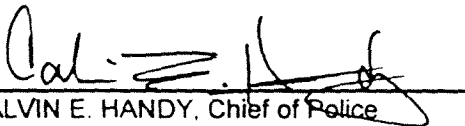
Location: South side of Wellman Hall

Case #: 0006-3683 (possible suspect in case # 0006-3599)

Suspect: Victim described suspect as a Hispanic Male Adult, 5' 4" to 6", 130 to 145 lbs., medium build, medium complexion, short dark wavy hair, no facial hair, approximately 25 - 35 years old, dark blue long sleeve button down shirt, black denim jeans and black walking shoes. **(Composite on back)**

Incident: Male approached Victim on foot, made a comment of a sexual nature. Victim notices that suspect is exposing himself. Victim begins walking then running to her car that is parked in a lot near Dutton Hall. Victim gets into her vehicle and notices suspect behind her vehicle still exposed as she drives off.

**Report all suspicious persons and Activity or information regarding this case to the
UC Davis Police Department immediately at (530) 752-1230**


CALVIN E. HANDY, Chief of Police
University of California, Davis Police Dept.

Report in progress crimes by calling 9-1-1
Non emergency Campus - (916) 752-1230
Non emergency UCD Medical Center - (916) 734-2555



FLORES
#1005
FREEHAND

CASE# 0006-3683

Sample Crime Log

This sample is from the Davis campus:

See next page (not numbered).



**UNIVERSITY POLICE DEPARTMENT
DAVIS, CALIFORNIA
CRIME LOG FOR MAY 1, 2001**

CASE NUMBER LOCATION CRIME TYPE	TIME	DESCRIPTION OF EVENT AND DISPOSITION	OFFICER
0105-0017 UCDCMC	0404	Shriner's security staff noticed a suspicious male subject, 6'0", 180 lbs, 50 years, wearing a dark colored suit, loitering outside their East entrance. Unable to locate. DISPOSITION: NO REPORT	DAVIDSON
0105-0018 UCDCMC LOITERING	0413	POLIMGYUMPTWEA, Lawrence, date of birth 052651, counseled outside of Camellia Suites. He was advised to move along. DISPOSITION: COUNSELED NO REPORT	DAVIDSON APPERSON
0105-0036 ALARM	0623	Employee-tripped false alarm at 1441 Research Park, Rm. 270 DISPOSITION: EMPLOYEE FALSE ALARM	MATRANGA
0105-0039 UCDCMC TRAFFIC STOP	0623	Traffic stop on 32 nd St. at O St: 2ZIP321, counseled. DISPOSITION: COUNSELED NO REPORT	LOFTHOUSE
0105-0041 UCDCMC NO REPORT	0721	Traffic stop on Stockton Blvd. at 35 th St: 3BBX508, counseled	LOFTHOUSE
0105-0042 CAR BURGLARY [REDACTED]	0710	JACKSON, Diane, UCD employee, reported that between 0030 and 0700 hours this date, unknown person or persons smashed a window on her vehicle, which was parked on LaRue Rd. at Custodial Division, and stole her dashboard gauge panel and her steering column cover. Unknown loss at time of report. DISPOSITION: REPORT TAKEN	MATRANGA
0105-0044 UCDCMC ESCORT	0733	Transported a psychiatric hold patient from the Emergency Room to the Sacramento County Mental Health Center. DISPOSITION: ESCORT COMPLETE	CORDOVA LOFTHOUSE
0105-0046 ALARM	0744	Employee-tripped false alarm at 207 3 rd St. Room 220. DISPOSITION: EMPLOYEE FALSE ALARM	WHITE
0105-0048 UCDCMC TRAFFIC STOP	0809	Traffic stop in Lot #18: 4JHR075, counseled. DISPOSITION: DRIVER COUNSELED	CORDOVA
0104-4537 NO REPORT	0759	Follow-up at Grounds Division.	WHITE
0105-0050 UCDCMC TRAFFIC STOP	0811	Traffic stop on V St. at 45 th St: 2MUA633, counseled. DISPOSITION: DRIVER COUNSELED	LOFTHOUSE

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Clery Compliance Issues

Publication Distribution					January 01, 2002	Prospective Students	Prospective Employees	P/D Compliance NOW	Content Compliance
	Web	Written	F/S	Students					
Bakersfield	√	√	RM	RM	Yes	WS/A/SD	WS/A/SD	X	X
Chico	√	√	RM	E-M	Yes	WS/SD	WS/SD	X	X
Dominguez Hills	√	√	PC	PC	Yes	WS/A/SD	WS/A/SD	X	X
Fresno	√	√	LETTER	LETTER	Yes	WS/SD	WS/SD	X	X
Fullerton	√	√	E-M	E-M	Yes	WS/SD	WS/SD	X	X
Hayward	√	√	RM	RM	Yes	WS/SD	WS/SD	X	X
Humbolt	√	√	PC/E-M	PC/E-M	Yes	WS/PC	WS/PC	X	X
Long Beach	√	√	PC	PC	Yes	WS/SD	WS/A	X	X
LA	√	√	PC	PC	Yes	PC/WS	PC/WS	X	X
Monterey Bay	√	√	PC	PC	Yes	SD	SD	X	X
Northridge	√	√	PC	PC/SD	Yes	WS/A	WS/SD/A	X	X
Pomona	√	√	PC/EM	PC/EM	Yes	WS/PC	WS/PC	X	X
Sacramento	√	√	SD	SD	Yes	WS/A	WS/A	X	X
San Bernardino	√	√	WS/E-M	PC	Yes	WS/A insert	WS/SD	X	X
San Diego	√	√	PC/E-M	E-M	Yes	WS/A	WS/SD	X	X
San Francisco	√	√	PC	PC	Yes	WS/S	WS/A/PC	X	X
San Jose	√	√	PC/E-M	PC/E-M	Yes	WS/PC	WS/PC	X	X
San Luis Obispo	√	√	E-M	E-M	Yes	WS/SD	WS/SD	X	X
San Marcos	√	√	PC	PC	Yes	WS/PC	WS/PC	X	X
Sonoma	√	√	E-M	RM	Yes	SD	WS/A	X	X
Stanislaus	√	√	E-M	PC	Yes	WS/PC	WS/PC	X	X
Channel Islands	√	√	E-M	E-M	Yes	WS/SD	WS/SD	X	X
Maritime Academy	√	√	RM	RM	Yes	SD	SD	X	X

PC= Postcard No/Yes WS= On Website S= Sticker on
 RM= Report Mailed A= On Application packet
 E-M= E-Mail SD= Separate Document

Staying Up-To-Date

The Crime Awareness and Campus Security Act was amended, and re-named The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, in October of 1998.

Clery Act**Four Major Compliance Areas**

1. **Publish & distribute an annual Campus Security Report** (by Oct. 1 of each year)
 - 3 years of on/off campus crime statistics
 - policy statements & program descriptions
 - procedures to be followed in sex offenses
2. **Inform prospective students & employees** about the Campus Security Report
3. **Provide timely notice** to the campus on crimes considered threats to safety
4. **Maintain a public log** of all reported crimes

I. Annual Campus Security Report**A. PUBLICATION REQUIREMENT**

- by **October 1** of each year
 - must appear within a SINGLE DOCUMENT
 - may be a special-purpose brochure or part of larger document (such as student handbook)
 - may be published in multiple formats
 - electronic: e-mail, *intranet*, or *web site*
 - print: student handbook, employee brochure
- Branch campuses which differ significantly in their security programs should have own reports.

B. DISTRIBUTION REQUIREMENT**-TO ALL FACULTY, STAFF AND REGISTERED STUDENTS**

must be **PROVIDED DIRECTLY**

- The institution must, by October 1, distribute to all current students & employees a notice that includes a statement of the security report's availability, the exact electronic address where it is posted, a brief

description of its contents, and a statement that a paper copy of the report will be provided upon request.

(the intent of the law is to put the report or the website address to access the report, in the hands of every faculty, staff and registered student)

NOTE: Merely making the report available is not sufficient.

1. Through publication, mailings, or computer network or
It is recommended to send a postcard with required language referring to the exact website.
2. By e-mail
If e-mail is used, you must be able to show that the University issued e-mail accounts to all and keep records of who was e-mailed.

NOTE: Posting on the Web is not sufficient unless faculty, staff and students received a hard copy notice of the electronic address to access the report.

NOTE: The State Controllers Office will print the required Clery Act information on the employee paychecks in September of every year to meet compliance. The information will direct employees to access the CSU website at www.calstate.edu/clery/ where each individual campus link to Clery information will be one click away.

3 years of Crime Statistics:

Each report must contain three years of statistics and records should be maintained for seven years.

When is a crime "reported"?

- When a victim or witness brings it to the attention of the local police or a campus security authority.

Campus Security Authorities

- Campus security authorities are those employees who have "significant responsibility for student and campus activities"
- Campus Administrators must define who those employees are, provide notice and training of their responsibility under the act.
- Examples may be Student Affairs Professionals, Dean of Students, Judicial Affairs Officers, Student Activity Directors, Faculty Advisors to Student Groups, Team Coaches, Athletic Directors, Student Union Directors, EOP Directors, Ombudspersons, Student Grievance Officers
- Pastoral and Professionals are exempt from reporting except there is a Conflict with California law which requires them to report the following:
 - **CA. law - Penal Code 11160 and 11165.8 - health practitioner's duty to report violent crimes**
 - Includes physicians and psychologists

Penal Code 11160

Duty to report firearm wound, assault, abusive injury

- Examples
 - Murders
 - Manslaughter
 - Assault to commit mayhem, rape and assault with a deadly weapon
 - Sexual Battery
 - Incest
 - Rape
 - Various sexual crimes

The above crimes are required to be reported under the Clery Act.

The "New Geography" of Crime locations to be reported was changed recently:

Crime Statistics must be reported by location:

1. On Campus

- owned, contiguous, educational or student-used
- any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a

manner related to, the institution's educational purposes, including residence halls; and

- property within the same reasonably contiguous geographic area of the institution that is owned by the institution but
 - is controlled by another person
 - is **frequently** used by students,
 - and supports institutional purposes
 - (such as a food or other retail vendor)

2. In Dormitories or other student residences

- within the "on campus" area
- Student Residences
 - a subset of 'on campus' crimes, which includes only crimes that were reported to have occurred in dormitories or other residential facilities
 - for students
 - on campus

3. Non-campus buildings or property

- Fraternity/Sorority houses, non-contiguous owned and student-used

A. any building or property owned or controlled by a student organization officially recognized by the institution; and

Note: The University has the right to officially recognize the student organization and the property as controlled by the organization. A group of students in an organization that get together and lease a house does not have to be reported. Universities must look at the national recognition of the organization, long stand lease by the organization or anything else that would allow the University to know that the house is controlled by an officially recognized student organization.

- B. any building or property (other than a branch campus) owned or controlled by an institution of higher education that**
- is used in direct support of, or in relation to, the institution's educational purposes,
 - is **frequently** used by students, and

- is not within the same reasonably contiguous geographic area of the institution

4. Public Property

- streets, sidewalks, lots - adjacent to "campus"
- "all public property, including thoroughfares, streets, sidewalks, and parking facilities, and is within the campus, or immediately adjacent to and accessible from the campus"
- "These regulations do not require ... crime statistics for public property surrounding non-campus buildings or property."

Annual Report Crime Categories

- Criminal Homicide,
- Sex Offenses (forcible + nonforcible),
- Robbery,
- Aggravated Assault,
- Burglary,
- Motor Vehicle Theft, &
- Arson....
- plus arrests or disciplinary referrals for liquor, drug & weapon offenses
- must be reported in four geographical locations

Alcohol, Drug & Weapons Offenses

- The New Requirement:
 - include 3 years' stats for arrests and persons not arrested, but referred for campus disciplinary action for:
 - liquor law violations
 - drug law violations
 - illegal weapons possession

Three prong test for deciding what is a disciplinary referral

-A referral of any student that, to a campus official who initiates disciplinary action

-A record is kept

-Which may result in the imposition of a sanction

Required Policy Statements

- Preparation of the Annual Security Report
 - Crime reporting policy, procedures & responses
 - Access to campus facilities & residence halls
 - Security considerations used in maintenance
 - Enforcement & arrest authority of campus cops
 - Working relationship with State & local police
 - Encouragement of prompt reporting of crimes
 - Section 120a Drug and Alcohol Abuse Prevention Information
 - a. Standards of conduct that clearly prohibit, unlawful possession, use or distribution of illicit drugs and alcohol by students and employees
 - b. Legal sanctions under Federal, State and local law
 - c. Description of health risks associated with the use of illicit drugs and the abuse of alcohol
 - d. A description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs available.
 - e. A clear statement that the institution will impose sanctions on students and employees and a descriptions of the sanctions, up to and including expulsion or termination of employment, and referral for prosecution for violations of the student Code of Conduct.

Sexual Offense Procedures

- Specific procedures to be followed if a sex offense occurs (content is optional):
 - Who should be contacted
 - The importance of preserving evidence
 - Assistance in contacting campus or local police
 - Notification of on/off campus counseling
 - Campus disciplinary procedures (general)
 - Specific campus disciplinary sanctions
- Specific procedures to be followed if a sex offense occurs (content is mandatory):
 - Victim's academic & living situations will be changed upon request if reasonably available

- Accuser and accused have same right (if any) to have others present during disciplinary hearing
- Accuser and accused shall be notified of the outcome of a campus disciplinary proceeding

II. PROSPECTIVE STUDENTS AND EMPLOYEES MUST RECEIVE INFORMATION ABOUT THE CLERY ACT UPON CONTACTING THE CAMPUS

- Applies to all individuals who have contacted the school to request information concerning admission or employment
- Information which must be provided:
 - Annual Campus Security Report is available
 - Summary of the contents of the CSR
 - How to request a copy (provide it if asked)
- Prospective faculty must receive Clery Act information upon being invited for an interview.
- Clery Act information for prospective staff should be printed on employee applications.

NOTE: The CSU student Applications will contain the required Clery information, for prospective students and will refer them to the CSU website, which will link to each campus website.

- Each campus will still be responsible for directly providing the Clery Act information to continuing students.

III. Timely Notice Requirement

- The school shall, in a manner (to be determined by the school) that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are:
 - listed in the Act,
 - reported to **campus security authorities as identified by the school** or to local police, and
 - considered to represent a threat to others.

IV. Daily Log Requirement

- Record (*by date reported*) all crimes reported to the campus police or security department
 - nature of crime
 - date, time & general location
 - disposition of complaint (if known)
- Entries or updates within 2 business days
- The institution must make the crime log for the most recent 60-day period open

Records Retention Period

- Requirement is outlined in Section 668.24 of the Student Assistance General Provisions. All supporting records, including daily logs, must be kept for 3 years following the publication of the **last** annual campus security report to which they apply.
 - This may result in a Clery Act records retention period of nearly 7 years after the date of an incident.

CSU Training and Compliance

The CSU monitors compliance for all twenty three campus. The publication and distribution requirements are tracked annually. A Clery Act required policy and procedures checklist is used annually to monitor required policy statements.

**Testimony to the Assembly Committee on Higher Education
Hearing on Campus Violence, April 23, 2002**

*Presented by Ed Connolly
Dean of Career, Child, and Community Development*

On behalf of Chancellor Nussbaum, and the directors of campus security for the 72 community college districts and 108 colleges in our system, I want to thank you for your leadership on issues of campus safety and sexual assault prevention on campus.

Within the community college system it is the responsibility of each of the 108 campuses and 72 districts to identify and report crimes to the U.S. Department of Education under the Jeanne D. Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Chancellor's Office is committed to assisting community colleges in providing students with a safe environment in which to learn, and to keep students and staff well informed about campus security. To this end, the Chancellor's Office provides guidance to community colleges to assure their full compliance with existing state and federal campus security laws.

Although we have no legislative mandates in the area of campus security and have no funded staff to focus on this area, the Chancellors Office:

Promotes campus security awareness on our web site, which includes articles and information on campus security issues and legislation;

Provides technical assistance regarding the implementation of and compliance with existing state and federal campus security laws and regulations; and

Meets periodically with campus police chiefs and other state agencies to review current issues and proposed legislation related to campus security.

This morning I talked with Ken Arnold, the Director of Public Safety at Napa Valley College, who is Past President of the Community College & University Police Chiefs Association and currently the association's Coordinator of Legislation.

Officer Arnold informed me that all 108 community colleges are in compliance with the Clery Act. He indicated that the only campuses that have had problems meeting all of the Clery reporting requirement are some of the smaller campuses that do not have dedicated campus security staff and instead hire private security.

He shares your concern related to the underreporting of sexual crimes. He wanted me to emphasize that "no one in the community college system is trying to hide these very serious crimes." He, like yourselves, identified four major reasons that underreporting occurs: 1) victims do not want to get the perpetrator in trouble; 2) victims may not see the sexual assault as a crime; 3) victims may feel more comfortable talking with a counselor than with law enforcement representatives and be unwilling to authorize the counselor to reveal privileged communications; and 4) there is a significant difference in the federal and state definitions of what constitutes a "sexual offense." He pointed out several instances in which the *Sacramento Bee* used examples of assaults that you or I may consider a sexual assault but according to the California Penal Code are physical assaults and must be reported as such.

With respect to AB 2533 (Jackson), our campus security officers feel that as long as the information they would be required to submit to CPEC is the same information reported to the U.S. Department of Education under the Clery Act that it would be very easy to submit the data to CPEC or to enable CPEC to retrieve the information on line at the USDE web site to compile and report it to the Legislature.

With respect to AB 2583 (Chu), they support the creation of a statewide task force on sexual assault prevention. Officer Arnold emphasized that the state needs to put additional resources into educating students as to what constitutes a sexual assault and how to report it.

Because community colleges are overwhelmingly commuter campuses serving a local and older student population, we do not face the same challenges that residential colleges and universities do. However our campuses are very much a part of their communities and are not isolated from the problems that face our society at large. The California Community Colleges are pleased to work with the Committee to ensure our students the safest possible campus climate.

Thank you for your attention. I will be pleased to answer any questions.

**Statement by the Association of Independent California
Colleges and Universities
Informational Hearing on Campus Violence
Assembly Committee on Higher Education
April 23, 2002**

Madame Chair and members, I am Veronica Villalobos, Vice President of the Association of Independent California Colleges and Universities.

An overview for the independent sector is a tough thing to offer. There are 76 members in the Association, ranging in size and availability of resources. For example, only four have some form of campus police that operate under the authority of the Penal Code. Most institutions have a campus security or safety department, which works closely with the local police to ensure full protection of students both on and off campus. All institutions of higher education must comply with the Disclosure of Campus Security Policy and Campus Crime Statistic Act, which is enforced by the U.S. Department of Education. By reviewing the statistics available on-line, we were able to confirm the compliance of all AICCU institutions. The most recent three years of campus crime statistics are available on-line for the public and also are made available each year to potential students, current students, and employees of the institution.

The current reporting requirements have been in place since 1999 and colleges and universities have spent much time and resources in complying with the law to ensure that the manner of reporting is consistent with the requirements. For example, campuses must track those crimes that are reported to either the local police, campus security or security authorities, the crime has to be listed under the Act, and the campus must define whether the crime occurred on campus or in the surrounding public area.

Institutions have commented that in the first year there were numerous technical difficulties. Most commonly, colleges and universities had to work with local police to come up with common definitions of the crimes that need to be reported and define the public property surrounding the institution that is required to be assessed. Many of the complexities were due to alcohol related incidences, which led campuses to over report this type of data. Many campuses have utilized the technical assistance that is available by the U.S. Department of Education to sort out any confusion.

To ensure the validity of what is reported and increase security on campus, our smaller campuses that are typically more resource limited, have depended heavily upon community collaboration. For example, Patten College, located in east Oakland, has a total student body population of fewer than 800. To fully comply with the Clery Act, Patten administrators spent time working with the local police department to increase ease and efficiency of reporting by ensuring that the college is within one "beat" and that the crime statistics in the public areas are easily tracked and reported by the local police back to campus officials. To increase security, Patten has implemented a neighborhood watch program that involves the campus, its students and surrounding residents. The partnership with the police and local residents has limited crimes to 6 burglaries and one aggravated assault incident over the past three years.

An increased focus of our campuses has been strengthening prevention and education programs that aim to change the attitudes and behavior of all members of the student body. This is particularly true with issues of sexual assault and rape. To ensure student safety, campuses have increased security on campus by hiring 24-hour security personnel, installing panic systems or emergency telephone systems, and supplying a security escort service during the evening and night hours.

In addition, institutions are working to remove the personal and societal barriers that may prevent victims from reporting an incident that has occurred. As studies have stated, many sexual assaults go unreported, which means victims go untreated. This occurs because victims continue to feel shameful and embarrassed about what has occurred. The issues of date rape and acquaintance rape have been highly stressed in the education and awareness programs on campus. Most commonly, students are first informed of campus policies and prevention programs during their orientation and follow up programs are conducted in the dorms throughout the year. Institutions also educate students in fraternities and sororities and other student clubs that may have group housing off campus.

At the University of San Diego, training of campus administrators, security personnel, student affairs staff, counseling staff, student leaders, by community non-profit organizations and security experts has been essential in creating an environment where students feel welcome to approach one of many on campus to report any incidence that may have occurred. With increased awareness and sensitivity on campus, they have seen a slight rise in incidences that are reported. This correlation leads to the belief that students are reporting more incidences because of the increased sensitivity of the environment.

The Clery Act has also caused our campuses to modify campus judicial and disciplinary procedures. The first priority is to protect the survivor and assist them in gaining control of the situation. Confidentiality is mandatory and victims are given the choice of whether they would like to prosecute the perpetrator through campus judicial processes, the local police, both or neither. In any situation, students are given the opportunities for counseling and assistance. Colleges and universities do encourage their students to report any misconduct or crime and to go to the hospital for an exam if a rape or sexual assault has occurred, but the decision is left up to the survivor. With any crime reported under the Clery Act that poses a threat to others, the campus must alert the student body and employees in a timely manner to aid in the prevention of similar crimes occurring.

With the standardization of the collection and reporting requirements on each campus, institutions are focusing on their prevention and intervention policies in order to increase and improve services to victims and to create a greater understanding among the student body. To accomplish this, administrators are collaborating with area non profits, the community and the local police department to create a multidisciplinary approach to preventing crimes and serving survivors. Although, institutions of higher education have been improving their holistic response to victims, including strengthening support systems and encouraging prosecution of perpetrators, work continues to remain and resources are needed to increase education programs that will affect the behavior of students, including the concerns many have with the lack of reporting. Thank you for your time and I would be happy to answer any questions.

Follow up letters

California Community Colleges

Independent Colleges and Universities

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

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(916) 445-8752
[HTTP://WWW.CCCCO.EDU](http://www.cccco.edu)



May 1, 2002

The Honorable Elaine Alquist, Chair
Assembly Committee on Higher Education
State Capitol
Sacramento, CA 95814

Dear Assembly *Elaine* member Alquist:

With respect to the inquiries regarding community colleges responses to campus security and violence on college campuses that were raised in the meeting on April 23, 2002, the Chancellor's Office for the California Community Colleges is committed to assisting community colleges to provide students with a safe environment in which to learn as well as keeping students informed about campus security. The Chancellor's Office continues to be committed to the enforcement of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, commonly referred to as the Clery Act. To this end, our office provides guidance to colleges in the development and implementation of comprehensive policies to combat violence on community college campuses.

Our office assists community colleges to establish appropriate procedures for complying with the Clery Act that are consistent with these guidelines:

- 1) Publish and distribute an annual campus security report by October 1 of each year. This report should provide on- and off-campus crime statistics for the prior three years, policy statements, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.
- 2) Distribute to all current students and employees a copy of the annual security report, or a notice including a brief description of the report's contents that announces the report's availability on the Internet, the exact electronic address for the report, and a statement on how to obtain a paper copy if desired.
- 3) Inform prospective students and employees about the existence of the campus security report and how to access it on the Internet or request a paper copy.
- 4) Provide timely notice to the campus community of crimes considered threats to the safety of the public.
- 5) Maintain a public log of all crimes reported to the institution's campus police or security departments, if any.

I have also directed Judith James, Vice Chancellor of the Student Services Division to work closely with community college security personnel and administrators to ensure that all colleges are fully complying with the Act, and to collect and maintain records for crime prevention programs at all 108 campuses.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom", written in black ink.

Thomas Nussbaum
Chancellor

**CALIFORNIA COMMUNITY COLLEGES
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May 8, 2002

To: Chief Student Services Officers and Campus Security Officers

From: Judith R. James, Vice Chancellor
Student Services and Special Programs Division

Subject: Jeanne Clery Disclosure of Campus Security Policy and
Campus Crime Statistics Act of 1998

On April 23, 2002, the Higher Education Committee held a hearing on the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998," commonly referred to as the Clery Act. The Act requires institutions of higher education receiving federal financial aid to report specified statistics related to crime on college campuses and to provide other safety and crime information to members of the campus community. The committee was interested in learning how well colleges and universities were complying with the Clery Act requirements and the procedures used by each campus to meet these requirements. Consequently, I am requesting that you review the policy and ensure that your college is in full compliance with the Clery Act.

Each campus is responsible for establishing procedures for complying with the Clery Act that are consistent with the following guidelines:

- 1) Publish and distribute an annual campus security report by October 1 of each year. This report should provide on- and off-campus crime statistics for the three prior years, policy statements, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.

2) Distribute the annual security report to all current students and employees, including a brief description of the contents information regarding the report's availability on the Internet, the exact electronic address for the report, and a statement on how to obtain a paper copy, if desired.

3) Inform prospective students and employees about the existence of the campus security report and how to access it on the Internet or request a paper copy.

4) Provide timely notice to the campus community of crimes considered threats to the immediate safety of the public.

5) Maintain a public log of all crimes reported to the institution's campus police or security departments, if any.

Furthermore, we are requesting that you send us a copy of your college's campus's crime prevention program description. We will contact you later regarding the date for receipt of materials. If you should have any questions, please do not hesitate to contact Dean Ed Connolly at (916) 323-0453.

Cc: Dean Ed Connolly
Specialist Albert Salgado

**Association of
Independent
California
Colleges and
Universities**

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President, University of La Verne

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California
Western University of Health Sciences
Westmont College
Whittier College
Woodbury University

May 13, 2002

The Honorable Elaine Alquist
Member of the Assembly
State Capitol, Room 3120
Sacramento, CA 95814

MAY 14 2002

Dear Assembly Member Alquist,

The Association of Independent California Colleges and Universities (AICCU) would like to address some of the questions you raised at the Assembly Committee on Higher Education's informational hearing on Campus Violence.

The information that you requested, the number of rapes in the sector, was not readily available at the hearing because AICCU is not in the practice of collecting such data. The United States Department of Education is the central oversight agency in regard to the Jeanne Clery Act and its crime statistics reporting requirements. AICCU collects data upon request and utilizes federal databases for basic numbers in enrollment, graduation rates, diversity rates, etc. We try to minimize the number of data requests of our members as much as possible.

In regard to your question of the number of rapes in the sector, institutions of higher education have to report non-forcible and forcible sex offenses by categories of where the incident occurred or if it was reported to non-police officials - on campus, non-campus, public property, and non-police. In accordance with your data request, AICCU collected our member institutions' rape statistics from the website of the Office of Postsecondary Education. During the year 2000 (the most recent reported year), there were thirty-three "on-campus" forcible sex offenses reported among seventy-four institutions of higher education. Yet this number does not accurately reflect what is actually occurring on campus, with students, because of the manner in which the data is collected and reported. Twelve of the thirty-three offenses were reported as local statistics, which are collected by the local police department. Because the Clery Act requires the reporting of crimes in public areas surrounding the campus and of those areas where students often frequent, some institutions gather data from the local police of a much larger area than only that which encompasses their students.

For example, Dominican University of California, a small, liberal arts Catholic University located in San Rafael, had reported among all sites nineteen forcible sex offenses and sixty-eight non-forcible sex offenses. For a University of 1,500 total students, this seems unbelievably high. When discussing these statistics with their

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Fax: 916-446-7948

administration, they explained that no sex offenses occurring on or near campus have been reported, but because of the reporting requirements of Clery and the inability to disaggregate city data properly, the above numbers reflect offenses reported for the whole city of San Rafael.

In regard to your question of our campus security officers, although most of our campuses do not have a campus police force, campus and student safety is of the utmost priority. One must keep in mind that the average number of students at an independent college is approximately 2,700 and therefore, the environment and needs are very different from student experiences at UC, CSU and CCC campuses. These needs are assessed on each campus and the extent of necessary security personnel and their training is then decided. For example, some independent colleges like USF, UOP, Stanford, USC and Redlands have agreements with their local law enforcement agencies, which empower their campus officers with police powers. Thus, their officers are trained as regular police and are current with Police Officer Standards and Training standards. Other smaller campus may send their officers through the State Security Guard training, where the State conducts background checks and training as part of the licensure. But under state standards, only officers who carry weapons (firearms, batons, mace) are required to complete POST training.

The majority of states authorize independent college security forces to hold police officer status. The California statutes are more limited. The California standards under POST are odd. For example, even though all of our campuses that operate under Penal Code § 830.6 and 830.7 spend the cost of POST training, POST training in an independent college is not counted to keep officers current. Thus, an officer who chooses an independent college career must recertify with POST, if he chooses to move to a local law enforcement agency after more than three years on an independent college campus.

We hope this information is helpful in understanding the role of AICCU and the security and crime reporting practices of California's independent colleges and universities. Please contact our office with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Brown". The signature is fluid and cursive, with the first name "Jonathan" being more prominent than the last name "Brown".

Jonathan Brown
AICCU

cc: Paul Mitchell, Consultant, Assembly Committee on Higher Education